9-11-86
Vol. 51 No. 176
Pages 32297-32416

federal register

Thursday
September 11, 1986

FEDERAL REGISTER Published daily, Monday through Friday, (not published on Saturdays, Sundays, or on official holidays), by the Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408, under the Federal Register Act (49 Stat. 500, as amended; 44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

The **Federal Register** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders and Federal agency documents having general applicability and legal effect, documents required to be published by act of Congress and other Federal agency documents of public interest. Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless earlier filing is requested by the issuing agency.

The **Federal Register** will be furnished by mail to subscribers for $300.00 per year, or $150.00 for 6 months, payable in advance. The charge for individual copies is $1.50 for each issue, or $1.50 for each group of pages as actually bound. Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

There are no restrictions on the republication of material appearing in the **Federal Register**.

Questions and requests for specific information may be directed to the telephone numbers listed under INFORMATION AND ASSISTANCE in the READER AIDS section of this issue.

How To Cite This Publication: Use the volume number and the page number. Example: 51 FR 12345.

Contents

Federal Register

Vol. 51, No. 176

Thursday, September 11, 1986

Agriculture Department
See Commodity Credit Corporation; Food Safety and Inspection Service; Forest Service; Soil Conservation Service

Air Force Department
NOTICES
Meetings:
Scientific Advisory Board, 32350

Army Department
See Engineers Corps

Coast Guard
RULES
Anchorage regulations:
Connecticut, 32317
(2 documents)
Drawbridge operations:
Arkansas, 32318
Tennessee, 32318, 32319
(2 documents)
PROPOSED RULES
Drawbridge operations:
Louisiana, 32339

Commerce Department
See International Trade Administration; National Oceanic and Atmospheric Administration; National Technical Information Service

Commodity Credit Corporation
RULES
Loan and purchase programs:
Rice and upland cotton, 32297
NOTICES
Loan and purchase programs:
Soybeans, 32343

Commodity Futures Trading Commission
NOTICES
Contract market proposals:
Chicago Mercantile Exchange—
Australian dollar, 32348

Defense Department
See also Air Force Department; Engineers Corps; Navy Department
RULES
Federal claims collection; income tax refund offset, 32308
Organization, functions, and authority delegations:
Defense Logistics Agency, 32309
NOTICES
Meetings:
Ada Board, 32348
DIA Scientific Advisory Committee, 32349
Electron Devices Advisory Group, 32348, 32349
(3 documents)
Senior Executive Service:
Performance Review Board; membership, 32349

Delaware River Basin Commission
NOTICES
Hearings, 32350

Economic Regulatory Administration
NOTICES
Consent orders:
MGPC, Inc., et al., 32354

Education Department
NOTICES
Meetings:
Vocational Education National Council, 32352

Energy Department
See also Economic Regulatory Administration; Federal Energy Regulatory Commission; Western Area Power Administration
PROPOSED RULES
Acquisition regulations:
Management and operating contracts, 32340
NOTICES
Cooperative agreements:
Software development to evaluate wheeling rates, 32353
Senior Executive Service:
Performance Review Board; membership, 32353

Engineers Corps
NOTICES
Environmental statements; availability, etc.:
Sandstone Dam, Carbon County, WY, 32350

Environmental Protection Agency
NOTICES
Meetings:
Science Advisory Board, 32368

Executive Office of the President
See Trade Representative, Office of United States

Federal Aviation Administration
PROPOSED RULES
Airport radar service areas, 32410

Federal Communications Commission
RULES
Radio stations; table of assignments:
Florida, 32320
PROPOSED RULES
Radio stations; table of assignments:
Montana, 32340
NOTICES
Emergency broadcast system; closed circuit test, 32369

Federal Deposit Insurance Corporation
PROPOSED RULES
Powers inconsistent with Federal deposit insurance law:
Insurance and real estate underwriting, etc., 32336

Federal Election Commission
NOTICES
Meetings; Sunshine Act, 32395

Federal Energy Regulatory Commission
NOTICES
Natural gas certificate filings:
North Penn Gas Co. et al., 32355
Small power production and cogeneration facilities; qualifying status:
Nannini, Louis G., et al., 32355

Federal Highway Administration
NOTICES
Environmental statements; notice of intent:
Baltimore County, MD, 32391

Federal Maritime Commission
NOTICES
Agreements filed, etc., 32369

Federal Reserve System
NOTICES
Meetings; Sunshine Act, 32395

Fish and Wildlife Service
RULES
Alaska National Wildlife Refuges, management:
Kenai National Wildlife Refuge, AK; resource protection, 32329
Hunting:
Refuge specific hunting regulations, 32321

Food Safety and Inspection Service
RULES
Meat and poultry inspection:
Operating schedules for total quality control establishments; expansion, 32301

Forest Service
NOTICES
Boundary establishment, descriptions, etc.:
Mono Basin National Forest Scenic Area, CA, 32344
Environmental statements; availability, etc.:
Southern Region, 32345

General Services Administration
PROPOSED RULES
Acquisition regulations:
Contractor financial difficulty, bankruptcy, etc., 32340

Health and Human Services Department
See Human Development Services Office

Housing and Urban Development Department
NOTICES
Agency information collection activities under OMB review, 32369

Human Development Services Office
NOTICES
Grants; availability, etc.:
Head start program; training and technical assistance resource centers, 32402

Interior Department
See Fish and Wildlife Service; Land Management Bureau; Surface Mining Reclamation and Enforcement Office

International Trade Administration
NOTICES
Short supply determinations:
Historic telephone boxes, 32346

International Trade Commission
NOTICES
Import investigations:
Generalized System of Preferences; eligible articles list, etc.; correction, 32374

Interstate Commerce Commission
NOTICES
Agreements under sections 5a and b, applications for approval, etc.:
Movers' & Warehousemen's Association of America, Inc., 32375
National Association of Specialized Carriers, Inc., 32375
Railroad services abandonment:
Baltimore & Ohio Railroad Co., 32375

Justice Department
RULES
Privacy Act; implementation, 32305
NOTICES
Pollution control; consent judgments:
Providence, RI, 32376
Waste Management of Wisconsin, Inc., 32376
Privacy Act; systems of records, 32376

Labor Department
See Labor-Management Relations and Cooperative Programs Bureau

Labor-Management Relations and Cooperative Programs Bureau
RULES
Airline employee protection program; pilots and flight officers initial hiring age; justification under court order, 32306

Land Management Bureau
NOTICES
Coal leases, exploration licenses, etc.:
Kentucky; correction, 32370
Coal management program:
Carbon County, WY; coal core analyses and geophysical logs, 32370
Wind River Basin, WY; coal core analyses and geophysical logs, 32370
Meetings:
Miles City District Grazing Advisory Board, 32374
Moab District Grazing Advisory Board, 32374
Safford District Grazing Advisory Board, 32373
Vernal District Advisory Council, 32374
Oil and gas leases:
Montana, 32371
(2 documents)
Realty actions; sales, leases, etc.:
Idaho, 32371
Montana, 32371
(2 documents)
Nevada, 32372
Oregon, 32372
Wyoming, 32373
Recreation management restrictions, etc.:
Yuma District, AZ, 32373
Survey plat filings:
Wyoming, 32373

National Aeronautics and Space Administration
NOTICES
Meetings:
Space Systems and Technology Advisory Committee, 32378

National Labor Relations Board
NOTICES
Meetings; Sunshine Act, 32395

National Oceanic and Atmospheric Administration
RULES
Fishery conservation and management:
Bering Sea and Aleutian Islands groundfish, 32334
Northern anchovy, 32334

National Technical Information Service
NOTICES
Patents, Government-owned; availability for licensing, 32347

National Transportation Safety Board
NOTICES
Accident reports, safety recommendations, and responses, etc.; availability, 32378, 32380
(2 documents)
Senior Executive Service:
Performance Review Board; membership, 32381

Navy Department
RULES
Navigation, COLREGS compliance exemptions:
USS Blue Ridge, 32313
USS Claude V. Ricketts and USS Waddell, 32312
USS MacDonough, 32314
USS Mauna Kea, 32315
USS Ponce, 32315
USS Tarawa et al., 32316

Nuclear Regulatory Commission
NOTICES
Meetings:
Reactor Safeguards Advisory Committee, 32386
(2 documents)
Petitions; Director's decisions:
General Electric Co., 32385
Regulatory guides:
Issuance, availability, and withdrawal, 32385
Applications, hearings, determinations, etc.:
Duke Power Co., 32383
Louisiana Power & Light Co., 32381
Wisconsin Electric Power Co., 32384

Office of United States Trade Representative
See Trade Representative, Office of United States

Pacific Northwest Electric Power and Conservation Planning Council
NOTICES
Power plan amendments:
Columbia River Basin fish and wildlife program, 32387

Research and Special Programs Administration
NOTICES
Hazardous materials:
Applications; exemptions, renewals, etc., 32391, 32392
(2 documents)

Saint Lawrence Seaway Development Corporation
NOTICES
Meetings:
Strategic Planning for St. Lawrence Seaway Advisory Group, 32393

Securities and Exchange Commission
NOTICES
Meetings; Sunshine Act, 32395
(2 documents)
Self-regulatory organizations; proposed rule changes:
Cincinnati Stock Exchange, Inc., 32390

Soil Conservation Service
NOTICES
Environmental statements; availability, etc.:
Anaconda-Deer Lodge, MT, 32346

State Department
NOTICES
Agency information collection activities under OMB review, 32390

Surface Mining Reclamation and Enforcement Office
PROPOSED RULES
Permanent program submission:
Kentucky, 32336
West Virginia, 32338

Trade Representative, Office of United States
NOTICES
Meetings:
Services Policy and Trade Negotiations Advisory Committees, 32386
Pre-shipment inspection and customs valuation procedures conducted by private companies on behalf of foreign governments, 32387

Transportation Department
See also Coast Guard; Federal Aviation Administration; Federal Highway Administration; Research and Special Programs Administration; Saint Lawrence Seaway Development Corporation
RULES
Organization, functions, and authority delegations:
Deputy General Counsel; cease and desist enforcement, 32320
NOTICES
Aviation proceedings:
Hearings, etc.—
National Express et al., 32391

Treasury Department
NOTICES
Agency information collection activities under OMB review, 32393

United States Institute of Peace
NOTICES
Meetings; Sunshine Act, 32396

Western Area Power Administration
NOTICES
Power marketing plans, etc.:
Salt Lake City Area Integrated Projects; proposed allocations, 32362

Separate Parts In This Issue

Part II
Department of Health and Human Services, Office of Human Development Services, 32402

Part III
Department of Transportation, Federal Aviation Administration, 32410

Reader Aids
Additional information, including a list of public laws, telephone numbers, and finding aids, appears in the Reader Aids section at the end of this issue.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

7 CFR
1421 32297
1427 32297

9 CFR
307 32301
318 32301
381 32301

12 CFR
Proposed Rules:
332 32336

14 CFR
Proposed Rules:
71 32410

28 CFR
16 32305

29 CFR
220 32306

30 CFR
Proposed Rules:
917 32336
948 32338

32 CFR
90 32308
359 32309
706 (6 documents) 32312–32316

33 CFR
110 (2 documents) 32317
117 (3 documents) 32318, 32319
Proposed Rules:
117 32339

47 CFR
73 32320
Proposed Rules:
73 32340

48 CFR
Proposed Rules:
542 32340
970 32340

49 CFR
1 32320

50 CFR
32 32321
36 32329
611 32334
662 32334
675 32334

Rules and Regulations

Federal Register
Vol. 51, No. 176
Thursday, September 11, 1986

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

7 CFR Parts 1421 and 1427

Rice and Upland Cotton Programs

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Interim rule.

SUMMARY: The purpose of this interim rule is to amend the regulations found at 7 CFR Parts 1421 and 1427 in order to (1) implement the (i) 1986 rice marketing certificate program; (ii) the upland cotton inventory protection program; and (iii) the upland cotton first handler program; and (2) invite public comment on the interim rule. These actions are required by Section 603 of the Food Security Act of 1985 and section 103A(a)(5)(D) of the Agricultural Act of 1949, as amended.

DATES: Effective Date: August 1, 1986. Comments must be received on or before November 10, 1986.

ADDRESS: Send comments to Charles V. Cunningham, Leader, Fibers Group, Commodity Analysis Division, USDA–ASCS, Room 3741 South Building, P.O. Box 2415, Washington, DC 20013. The Final Regulatory Impact Analysis describing the options considered in developing this interim rule is available on request from the above-named individual.

FOR FURTHER INFORMATION CONTACT: Charles V. Cunningham, (202) 477–7954.

SUPPLEMENTARY INFORMATION: This interim rule has been reviewed under USDA procedures estalished in accordance with Executive Order 12291 and Departmental Regulation No. 1512–1 and has been designated as "major." It has been determined that these provisions will result in an annual effect on the economy of $100 million or more.

The titles and numbers of the Federal Assistance Programs to which this interim rule applies are: Commodity Loans and Purchases—10.051; Rice Production Stabilization—10.065; and Cotton Production Stabilization—10.052 as found in the Catalog of Federal Domestic Assistance.

It has been determined that the Regulatory Flexibility Act is not applicable to the provisions of this interim rule since neither the Agricultural Stabilization and Conservation Service ("ASCS") nor the Commodity Credit Corporation ("CCC") is required by 5 U.S.C. 553 or any other provision of law to publish a notice of proposed rulemaking with respect to the subject matter of this interim rule.

It has been determined by an environmental evaluation that this action will have no significant impact on the quality of the human environment. Therefore, neither an environmental assessment nor an Environmental Impact Statement is needed.

This program/activity is not subject to the provisions of Executive Order 12372 which requires intergovernmental consultation with State and local officials. See the Notice related to 7 CFR Part 3015, Subpart V, published at 48 29115 (June 24, 1983).

Since the 1949 Act provides that the rice marketing certificate program, the upland cotton first handler program, and the upland cotton inventory protection program be implemented beginning August 1, 1986, it has been determined that this rule should be effective on such date. However, comments are requested with respect to the provisions of this interim rule. In order to be assured of consideration, such comments must be received by November 10, 1986.

Rice Marketing Certificate Program—7 CFR Part 1421

Section 603 of the Food Security Act of 1985 provides that whenever, during the period beginning August 1, 1986, and ending July 31, 1991, the world price for a class of rice adjusted to United States quality and location, as determined by the Secretary of Agriculture, is below the current loan repayment rate for that class of rice, then in order to make United States rice competitive in world markets and to maintain and expand exports of rice produced in the United States, the Commodity Credit Corporation (CCC) shall make payments, through the issuance of negotiable marketing certificates, to persons who have entered into an agreement with CCC to participate in the rice marketing certificate program.

This interim rule implements the provisions of § 603 of the Food Security Act of 1985 by providing that payments, in the form of commodity certificates, shall be made available to producers of rice and to cooperative marketing associations, which have established eligibility under 7 CFR Part 1425 to participate in the price support program. Such payments shall be made available to persons who enter into a Rice Marketing Certificate Agreement with CCC and who have complied with the terms and conditions of such agreement and this interim rule.

Section 1421.322 of the interim rule provides that the payments shall be made available only with respect to domestically produced rice (Oryza Sativa L.) which consists of 50.0 percent or more paddy kernels, and which is of a class, variety, and grade at least equivalent to price support eligibility requirements. Such rice must be unmilled and unprocessed, and marketing certificates must not have been and must not be separately issued with respect to such rice.

Certificates shall be made available only on a quantity of eligible rice which, during a period when the adjusted world price for such rice is below the loan repayment rate for such rice, is either (1) redeemed from a price support loan with cash or (2) sold.

The payment rate shall be based upon the difference between the loan repayment rate and the adjusted world price for the eligible rice on the day of loan redemption or sale.

First Handlers of Upland Cotton—7 CFR Part 1427

Section 103A(a)(5)(D)(i) of the 1949 Act provides that during the period beginning August 1, 1986, and ending July 31, 1991, if a program carried out under Plan A or Plan B fails to make U.S. upland cotton fully competitive in world markets and the prevailing world market price of upland cotton (adjusted to U.S. quality and location), as determined by the Secretary, ("the adjusted world price") is below the current loan repayment rate for upland cotton, then, in order to make U.S. upland cotton competitive in world

markets and to maintain and expand domestic consumption and exports of upland cotton produced in the U.S., the Secretary shall provide for the issuance of negotiable marketing certificates.

Section 103A(a)(5)(D)(ii) of the 1949 Act further provides that CCC, under such regulations as the Secretary may prescribe, shall make payments, through the issuance of such negotiable marketing certificates to first handlers of cotton (persons regularly engaged in buying or selling upland cotton) who have entered into an agreement with CCC to participate in the program. Such payments shall be made in such monetary amounts and subject to such terms and conditions as the Secretary determines will make upland cotton produced in the U.S. available at competitive prices.

Under the interm rule, payments, in the form of commodity certificates shall be made available to eligible first handlers of upland cotton who have entered into an Upland Cotton First Handler Agreement with CCC and who have complied with the terms and conditions of such Agreement and this interim rule. Such payments will be made available with respect to eligible 1986-crop upland cotton which is purchased by the first handler during a time period when the adjusted world price for upland cotton, as determined by the Secretary, is below the announced loan repayment rate. Section 1427.51 of the interim rule defines eligible upland cotton to include 1986-crop upland cotton which has not been pledged as loan collateral, or which has been redeemed from a price support loan with cash.

Section 1427.52 of the interim rule defines eligible first handlers as (1) persons regularly engaged in buying or selling upland cotton who are the first such persons to apply for a payment with respect to a bale of eligible upland cotton; (2) producers of upland cotton who sell such cotton directly to textile mills or for export or who tender upland cotton on a New York Futures Exchange number 2 contract; and (3) cooperative marketing associations which acquire the upland cotton production of their members.

The payment rate applicable to first handler payments shall be based on the difference between the adjusted world price for upland cotton and the loan repayment rate, as specified in the Upland Cotton First Handler Agreement.

Inventory Protection Payments—7 CFR Part 1427

Section 103A(a)(5)(D)(ii) of the 1949 Act provides that if, beginning August 1, 1986, the Secretary determines that the adjusted world price for upland cotton is below the current loan repayment rate for a crop of upland cotton and that the cotton loan program implemented under Plan A or Plan B has failed to make domestically produced upland cotton competitive in world markets, then the Secretary shall make such payments available, in the form of negotiable marketing certificates, as is determined to be necessary to make raw upland cotton in inventory as of August 1, 1986, available at competitive prices.

This interim rule sets out the terms and conditions under which CCC shall make payments, in the form of commodity certificates, to persons who have raw upland cotton in inventory as of 12:01 a.m. August 1, 1986, in order to make such cotton available at competitive prices, in accordance with section 103A(a)(5)(D)(ii) of the 1949 Act. Such payments shall be based upon the quantity of eligible raw upland cotton a person has in inventory on August 1, 1986, multiplied by the inventory protection payment rate. The basic payment rate shall be based upon the difference between (1) the national average price support loan rate for 1985-crop Strict Low Middling 1-1/16 inch upland cotton (micronaire 3.5 through 4.9) at average U.S. location, plus estimated carrying charges, and (2) the adjusted world price for upland cotton. The payment rate for eligible raw upland cotton other than baled upland cotton lint shall be based on a percentage of the basic payment rate.

Section 1427.76 of the interim rule defines eligible raw upland cotton to include all domestically produced 1985-crop and prior-crop raw upland cotton in free stocks as of 12:01 a.m. August 1, 1986, which is supported by documentation as prescribed by CCC.

Section 1427.79 of the interim rule sets forth the method of application for an inventory protection payment. All requests for inventory protection payments must be submitted to Kansas City Management Office (KCMO), Fiscal Division, P.O. Box 205, Kansas City, Missouri, 64141 no later than August 31, 1986, and must contain all information requested by CCC. Individual producers may submit their requests for payment to their local ASCS office which will forward such requests to KCMO. Section 1427.79 of the interim rule also provides for the submission of requests for early payment of the inventory protection payments. As previously announced by the Secretary of Agriculture, if a person submits a request for final payment by August 31, 1986, such person may submit a request for early payment no later than September 5, 1986, based on the applicant's estimate of the amount of eligible raw upland cotton such person had in inventory as of August 1, 1986.

The commodity certificates issued in accordance with the rice marketing certificate program, the upland cotton first handler program, and the upland cotton inventory protection program shall be governed by the provisions of 7 CFR Part 770.

List of Subjects

7 CFR Part 1421

Grains, Loan programs—agriculture, Price support program, Rice, Surety bonds, Warehouses.

7 CFR Part 1427

Cotton, Loan programs—agriculture, Packaging and containers, Price support programs, Surety bonds, Warehouses.

Interim Rule

Accordingly, 7 CFR Parts 1421 and 1427 are amended as follows:

1. 7 CFR part 1421 is amended by adding the following new Subpart—Rice Marketing Certificate Program:

PART 1421—[AMENDED]

Subpart—Rice Marketing Certificate Program

Sec.

1421.320 General provisions.
1421.321 Eligible persons.
1421.322 Eligible rice.
1421.323 Rice marketing certificate agreements.
1421.324 Commodity certificates.
1421.325 Payment rate.

Subpart—Rice Marketing Certificate Program

Authority: Sec. 603 of the Food Security Act of 1985; 99 Stat. 1429 (7 U.S.C. 1441-1a).

§ 1421.320 General provisions.

(a) This subpart sets out the terms and conditions under which the Commodity Credit Corporation (CCC) shall make payments, in the form of commodity certificates, to eligible persons who have entered into a Rice Marketing Certificate Agreement with CCC to participate in the rice marketing certificate program in accordance with § 603 of the Food Security Act of 1985.

(b) If, beginning August 1, 1986, and ending July 31, 1991, CCC determines that the adjusted world price for a class of rice (determined in accordance with 7 CFR Part 26) is below the current loan repayment rate for that class of rice, then CCC, in order to make domestically-produced rice competitive in world markets and to maintain and expand exports of domestically

produced rice, shall make payments available to eligible persons in accordance with the provisions of this subpart.

(c) Such payments shall be based upon the quantity of eligible rice which an eligible person has:

(1) Redeemed from a price support loan with cash or;

(2) With respect to eligible rice which has not been and will not be pledged as collateral for a price support loan, sold as evidenced by documentation acceptable to CCC.

§ 1421.321 Eligible persons.

For the purposes of this subpart, the following persons shall be considered to be eligible to enter into a Rice Marketing Certificate Agreement with CCC and to receive payment in accordance with this subpart:

(a) Producers of eligible rice, and

(b) Cooperative Marketing Associations which acquire the eligible rice production of their members and which have been approved (in accordance with 7 CFR Part 1425) to obtain price support from CCC on behalf of their members.

§ 1421.322 Eligible rice.

For the purposes of this subpart, eligible rice is 1986 and subsequent crop rice (Oryza Sativa L.), unmilled and unprocessed, which consists of 50 percent or more of paddy kernels of rice and which is of a class, variety, and grade eligible to be pledged as collateral for price support loan as provided in 7 CFR 1421.302, and with respect to which a payment in accordance with the provisions of this subpart has not been made available.

§ 1421.323 Rice marketing certificate agreement.

(a) Payments in accordance with this subpart shall be made available to eligible persons who have entered into a Rice Marketing Certificate Agreement with CCC and who have complied with the terms and conditions set forth in this subpart and the Rice Marketing Certificate Agreement.

(b) Rice Marketing Certificate Agreements may be obtained from local county Agricultural Stabilization and Conservation Service offices.

§ 1421.324 Commodity certificates.

Payments in accordance with this subpart shall be made available in the form of commodity certificaters in accordance with 7 CFR Part 770.

§ 1421.325 Payment rate.

The payment rate for the purposes of calculating payments made available in accordance with this subpart shall be based upon the difference between the adjusted world price for the class of rice and the loan repayment rate as specified in the rice Marketing Certificate Agreement.

2. 7 CFR Part 1427 is amended by adding the following new Subpart, Payments to First Handlers of Upland Cotton:

PART 1427—[AMENDED]

Subpart—Payments to First Handlers of Upland Cotton

Sec.

1427.50 General provisions.
1427.51 Eligible upland cotton.
1427.52 Eligible first handlers.
1427.53 Upland cotton first handler agreements.
1427.54 Commodity certificates.
1427.55 Payment rate.

Subpart—Payments to First Handlers of Upland Cotton

Authority: Sec. 103A of the Agricultural Act of 1949, as amended; 99 Stat. 1407, as amended (7 U.S.C. 1444–1).

§ 1427.50 General provisions.

(a) This subpart sets out the terms and conditions under which the Commodity Credit Corporation ("CCC") shall make payments, in the form of commodity certificates, to eligible first handlers of upland cotton who have entered into an Upland Cotton First Handler Agreement with CCC to participate in the first handler program, in accordance with section 103A(5) (D) of the Agricultural Act of 1949, as amended.

(b) If, beginning August 1, 1986, CCC determines that the adjusted world price for upland cotton (determined in accordance with 7 CFR Part 26) is less than the current load repayment rate for a crop of upland cotton, and that the cotton loan program implemented under Plan A or Plan B (in accordance with 7 CFR 1427.8) has failed to make domestically produced upland cotton competitive on the world market, then CCC shall make payments in accordance with the provisions of this subpart to eligible first handlers of upland cotton.

(c) Such payment shall be based upon the quantity of eligible upland cotton which is purchased by eligible first handlers for either domestic consumption or export during a period in which the adjusted world price is below the announced loan repayment rate for a crop of upland cotton, multiplied by the payment rate determined in accordance with § 1427.55.

§ 1427.51 Eligible upland cotton.

(a) For the purpose of this subpart, eligible upland cotton is domestically produced upland cotton which meets the requirements of paragraphs (b) and (c) of this section.

(b) Eligible upland cotton must be either—

(1) 1986-crop upland cotton baled lint which is not pledged as collateral for a price support loan,

(2) 1986-crop upland cotton baled lint which has been pledged as collateral for a price support loan but which has been redeemed with cash;

(3) Any prior crop upland cotton baled lint which was pledged as collateral for a price support loan and which was redeemed with cash (at the loan value plus accrued charges) on or after August 1, 1986;

(4) 1986-crop samples removed from bales of upland cotton for classification purposes which have been rebaled (hereinafter called "loose");

(5) 1986-crop upland cotton classified by USDA's Agricultural Marketing Service as Below Grade; or

(6) 1986-crop upland cotton reprocessed gin motes which have been cleaned with conventional seed cotton cleaning or saw lint cleaning devices that have removed a substantial volume of the non-lint content and which have been baled.

(c) Eligible upland cotton must not be:

(1) Upland cotton with respect to which an inventory protection payment has been or may be issued;

(2) Upland cotton with respect to which a payment in accordance with the provisions of this subpart has been made available;

(3) Upland cotton which was obtained with a commodity certificate in accordance with the provisions of Part 770 of this title; or

(4) Domestically produced upland cotton which has been exported.

§ 1427.52 Eligible first handlers.

(a) For the purposes of this subpart, the following persons shall be considered to be eligible first handlers:

(1) A person regularly engaged in buying or selling eligible upland cotton who is the first such person to apply for a payment in accordance with this subpart with respect to a bale of eligible upland cotton;

(2) A producer of upland cotton who sells upland cotton directly to domestic textile mills or for export or who tenders upland cotton on a New York Futures Exchange number 2 contract; and

(3) A cooperative marketing association that acquires the upland cotton production of its members and

that has entered into a Cooperative Commodity Certificate Redemption Agreement with CCC.

(b) Applications for payment in accordance with this subpart must contain documentation required by the provisions of the Upland Cotton First Handler Agreement and instructions issued by CCC.

§ 1427.53 Upland cotton first handler agreements.

(a) Payments in accordance with this subpart shall be made available to eligible first handlers who have entered into an Upland Cotton First Handler Agreement with CCC and who have complied with the terms and conditions set forth in this subpart and the Upland Cotton First Handler Agreement.

(b) Upland Cotton First Handler Agreements may be obtained from Cotton Branch, BCD, Kansas City Commodity Office (KCCO), P.O. Box 205, Kansas City, Missouri 64141. In order to participate in the program authorized by this subpart, first handlers must execute the Upland Cotton First Handler Agreement and forward an original and two copies to KCCO.

§ 1427.54 Commodity certificates.

Payments in accordance with this subpart shall be made available in the form of commodity certificates in accordance with Part 770 of this title.

§ 1427.55 Payment rate.

The payment rate for the purposes of calculating payments made available in accordance with this subpart shall be based upon the difference between the adjusted world price for upland cotton and the loan repayment rate, as specified in the Upland Cotton First Handler Agreement. A coarse count adjustment shall be applied as provided in 7 CFR Part 26 and the Upland Cotton First Handler Agreement. Payment rates for eligible cotton other than baled upland lint cotton shall be based on a percentage of the basic rate, exclusive of coarse count adjustment, as specified in the Upland Cotton First Handler Agreement.

3. 7 CFR Part 1427 is further amended by adding the following new Subpart, Inventory Protection Payments:

Subpart—Inventory Protection Payments

Sec.

1427.75 General provisions.
1427.76 Eligible raw upland cotton.
1427.77 Payment rate.
1427.78 Commodity certificates.
1427.79 Application for payment.

Subpart—Inventory Protection Payments

Authority: Sec. 103A of the Agricultural Act of 1949, as amended; 99 Stat. 1407 (7 U.S.C. 1444–1).

§ 1427.75 General provisions.

(a) This subpart sets out the terms and conditions under which the Commodity Credit Corporation ("CCC") shall make payments, in the form of commodity certificates, to persons who have raw upland cotton in inventory as of 12:01 a.m. August 1, 1986, in order to make such cotton available at competitive prices, in accordance with section 103A(5)(D) of the Agricultural Act of 1949, as amended.

(b) If, beginning August 1, 1986, CCC determines that the adjusted world price for upland cotton, determined in accordance with 7 CFR Part 26 (the "adjusted world price"), is less than the current loan repayment rate for a crop of upland cotton and that the cotton loan program implemented in accordance with 7 CFR 1427.8(e) has failed to make domestically produced upland cotton competitive in world markets, then CCC shall make payments in accordance with the provisions of this subpart to persons who have eligible raw upland cotton in inventory as of August 1, 1986.

(c) Such payments shall be based upon the quantity of eligible raw upland cotton a person has in inventory on August 1, 1986, multiplied by the payment rate determined in accordance with § 1427.77.

§ 1427.76 Eligible raw upland cotton.

For the purposes of this subpart, eligible raw upland cotton shall be all domestically produced 1985-crop and prior-crop raw upland cotton, including Below Grade, samples removed from bales of upland cotton for classification purposes which have been rebaled (hereinafter called "loose"), reprocessed motes which have been cleaned with conventional seed cotton cleaning or saw lint cleaning devices that have removed a substantial volume of the non-lint content and which have been baled, and reprocessed spinnable textile waste containing 85 percent or more upland cotton, in free stocks (not under price support loan or in CCC inventory) as of 12:01 a.m. August 1, 1986, which is supported by documentation, as prescribed by CCC.

§ 1427.77 Payment rate.

(a) For the purposes of this subpart, the payment rate for baled upland cotton lint (basic rate) shall be based upon the difference between:

(1) The national average price support loan rate for 1985-crop Strict Low Middling 1 1/16 inch (micronaire 3.5 through 4.9) upland cotton at average U.S. location, plus estimated average carrying charges (storage charges plus CCC price support loan interest charges), as determined by CCC; and

(2) The adjusted world price for upland cotton in effect on August 1, 1986, plus the additional adjustment for coarse count cotton for bales eligible for this adjustment, as provided in 7 CFR Part 26.

(b) For the purposes of paragraph (a) of this section, estimated average carrying charges shall be applied on a regional basis depending on the origin of growth of the cotton, as follows:

(1) Texas Plains, Western Oklahoma, Eastern New Mexico counties bordering the Texas Plains, and Kansas—4.25 cents per pound.

(2) Texas counties served by the Harlingen and Corpus Christi, Agricultural Marketing Service (AMS) Marketing Service Offices (MSO) and Texas and Eastern Oklahoma counties served by the Waco, Texas AMS–MSO—6.50 cents per pound.

(3) Southeast, Mid-South, West Texas (El Paso), remainder of New Mexico, Arizona, and California—5.80 cents per pound.

(c) If the origin of eligible raw upland cotton upon which a request for payment is made cannot be established to the satisfaction of CCC, the lowest regional estimated average carrying charge shall be used in the computation of the payment rate applicable to such cotton.

(d) The payment rates for eligible raw upland cotton, other than baled upland cotton lint, will be based on a percentage of the basic payment rate determined in accordance with paragraphs (a), (b) and (c) of this section, as follows:

(1) With respect to loose upland cotton, the payment rate will equal 85 percent of the basic rate (exclusive of any coarse count adjustment) for the region in which the loose cotton was produced;

(2) With respect to Below Grade upland cotton, the payment rate will equal 70 percent of the basic rate (exclusive of any coarse count adjustment) for the region in which such cotton was produced;

(3) With respect to reprocessed motes, the payment rate will equal 35 percent of the basic rate (exclusive of any coarse count adjustment) for the region in which such cotton was produced;

(4) With respect to spinnable textile waste the payment rate will equal:

(i) With respect to comber noils, 60 percent of the basic rate (exclusive of

any coarse count adjustment) for the region in which the mill requesting a payment is located; and

(ii) With respect to spinnable textile waste that has been reprocessed through lint cleaning equipment, if reprocessing is necessary to make it spinnable, including Card Waste, Card Strips, and Soft, Reworkable Waste (for example, pneumafil, laps, roving, sliver):

(A) If such waste contains 100 percent upland cotton, 25 percent of the basic rate (exclusive of any coarse count adjustment) for the region in which the mill is located; or

(B) If such waste contains at least 85 but less than 100 percent upland cotton, 20 percent of the basic rate (exclusive of any coarse count adjustment) for the region in which the mill is located.

§ 1427.78 Commodity certificates.

Payments in accordance with provisions of this subpart shall be made available in the form of commodity certificates in accordance with Part 770 of this title.

§ 1427.79 Application for payment.

(a) All requests for an inventory protection payment must be submitted to Kansas City Management Office (KCMO), Fiscal Division, P.O. Box 205, Kansas City, Missouri 64141 no later than August 31, 1986, and must contain all information requested by CCC. Individual producers may submit their requests for payment to their local Agricultural Stabilization and Conservation Service office which will forward such requests to KCMO.

(b) *Request for early payment.* (1) As announced by CCC, if a person submits a request for final payment by August 31, 1986, such person may submit a request for early payment no later than September 5, 1986, based upon the person's estimate of the amount of eligible upland cotton such person had in inventory as of August 1, 1986. Such a request must be accompanied by a cash deposit, bond, letter of credit, or other security acceptable to CCC in an amount equal in value to the estimated quantity of eligible upland cotton multiplied by 40 cents per pound.

(2) If such request is supported by documentation acceptable to CCC, CCC shall make payments available, in accordance with the provisions of this subpart, to the person at a rate of 80 percent of the payment rate estimated by CCC to be in effect on August 1, 1986, as determined in accordance with § 1427.77.

(3) All persons who submit a request for early payment must submit a final request for payment not later than August 31, 1986. Such final request for payment shall set forth the actual quantity of eligible raw upland cotton such person had in inventory on August 1, 1986. CCC shall determine the total payment to be made available to such person based upon the final request for payment less any payment previously made available to such persons in accordance with the provisions of this subpart. Any excess payment made available by CCC to such person must be refunded to CCC. CCC shall assess liquidated damages equal to 25 percent of the excess estimated quantity of cotton claimed for payment multiplied by the early payment rate. CCC may look either to the person, or to the security furnished by such person, or both, for payment of such liquidated damages.

(c) Any excess payment made available by CCC under the provisions of this subpart must be refunded to CCC.

Signed at Washington, this 26th day of August 1986.

Earle J. Bedenbaugh,

Acting Executive Vice President, Commodity Credit Corporation.

[FR Doc. 86-20489 Filed 9-10-86; 8:45 am]

BILLING CODE 3410-05-M

Food Safety and Inspection Service

9 CFR Parts 307, 318 and 381

[Docket No. 83-020F]

Meat and Poultry Inspection; Expansion of Operating Schedules for Total Quality Control Establishments

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: This rule amends the Federal meat and poultry products inspection regulations to permit meat and poultry establishments under a USDA approved Total Quality Control (TQC) system to expand their approved operating schedule to up to 12 hours. TQC establishments are currently approved for an 8-hour operating schedule which prohibits the shipping of product that is produced after that 8-hour period. Establishments must either retain product produced after the 8-hour schedule in storage until the following shift when the inspector is on duty or request that overtime inspection services be provided and reimburse the Department for those additional services. This rule allows establishments that have satisfactorily operated under an approved TQC system for 1 year to expand their approved operating schedule, under certain terms and conditions and in accordance with apropriate monitoring by inspectors as deemed necessary.

EFFECTIVE DATE: October 14, 1986.

FOR FURTHER INFORMATION CONTACT: Mr. Bill F. Dennis, Director, Processed Products Inspection Division, Meat and Poultry Inspection Technical Services, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250 (202) 447-3840.

SUPPLEMENTARY INFORMATION:

Executive Order 12291

The Agency has made a determination that this rule is not a major rule under Executive Order 12291. It will not result in an annual effect on the economy of $100 million or more; a major increase in costs or prices to consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

This rule allows, under certain conditions, TQC establishments to expand their operating schedules to up to 12 hours. At this time, there are approximately 500 USDA approved TQC establishments. This rule is applicable to establishments that have satisfactorily operated under a TQC system for 1 year.

Effect on Small Entities

The Administrator, Food Safety and Inspection Service, has determined that this rule will not have a significant economic impact on a substantial number of small entities, as defined by the Regulatory Flexibility Act, Pub. L. 96-354 (5 U.S.C. 601).

At present, there are approximately 500 USDA approved TQC establishments. These establishments range from one-person operations to those operated by some of the Nation's largest processors.

TQC establishments are presently prohibited from shipping product produced after their approved 8-hour operating schedules. They must either retain such product in storage until the following day or request overtime services.

The rule allows TQC establishments, under certain conditions, to expand their operating schedules to up to 12 hours a day. This is particularly beneficial for small TQC establishments that may not have the space available to store the product produced after the 8-hour operating schedule and, therefore, have

no option but to pay for overtime services.

The rule does not have a significant impact on TQC establishments, whether large or small. It offers an alternative schedule for all TQC establishments on a voluntary basis. Although TQC establishments are required to submit a plan to the Department for implementing certain provisions required of TQC establishments operating under expanded schedules, this paperwork burden would be a one-time exercise. Otherwise, the rule provides a positive impact upon TQC establishments qualifying for the expanded operating schedule.

Background

On August 15, 1980, the Department published a final rule in the **Federal Register** (45 FR 54310) that, in part, permits an official establishment to be eligible for a program of inspection that places more responsibility on the establishment to control its own production through a quality control program. Under that rule, an establishment can submit a proposed Total Quality Control (TQC) System to the Administrator for approval. If the Administrator finds the proposed system adequate to assure the preparation of meat and poultry products in accordance with the Federal Meat Inspection Act (FMIA) and/or the Poultry Products Inspection Act (PPIA), the establishment can participate in TQC inspection. At this time, there are approximately 500 establishments approved to operate under a TQC system.

A TQC system identifies the critical control points in an establishment's production process where compliance with Food Safety and Inspection Service (FSIS) regulations could be affected. This system specifies how the critical control points will be checked by establishment management and what actions will be taken by the establishment to verify compliance. The establishment is required to keep records showing the results of checking the critical points. An approved TQC system is an agreement between the processor and the Department which identifies how that establishment will control its production process to insure that all products are produced in accordance with the applicable regulations.

The Department verifies that the TQC system is operating in accordance with the approved plan through the review and evaluation of the records kept by the establishment. In addition, verification samples are taken to insure products are in compliance. If an establishment fails to comply with the provisions outlined in the approved TQC plan or if its products are found to be adulterated or misbranded, the TQC plan will be terminated and the establishment will be inspected under traditional methods.

Establishments under an approved TQC system can produce and ship product any time during their approved 8-hour operating schedule. The Department provides inspection services, without charge, up to 8 consecutive hours per shift during their approved operating schedule. A TQC establishment may continue to produce product beyond its operating schedule but may not ship that product until the start of the establishment's next production shift, at which time the product is subject to inspection. Although an establishment can hold such product produced until the inspector resumes duty and has an opportunity to inspect the product, some establishments do not have adequate storage facilities to hold product. Overtime inspection is authorized when the TQC establishment requests to ship product after 8 hours of inspection service without holding it for the next regular scheduled shift of the inspector.

The Proposal

The Department determined a need exists to address the manner of inspection for a TQC establishment desiring to produce and ship product after its approved operating schedule. The basic philosophy underlying the TQC system at federally inspected establishments is that the Department is responsible for monitoring the TQC system and determining that the products prepared at the establishment are not adulterated and are otherwise in compliance with the FMIA and PPIA before they are passed and distributed from the establishment. This activity does not require the continued presence of the inspector at the establishments in all instances. Those establishments with an approved TQC system continue to operate under their TQC system and under Federal inspection regardless of the inspector's presence or absence. Thus, it appears to be unjustifiably burdensome to have separate requirements in all instances for shipping product after the establishment's 8-hour operating schedule. After evaluating this matter, the Department published a proposal on August 19, 1985 (50 FR 33348), to allow eligible TQC establishments to expand their approved operating schedule to up to 12 consecutive hours per shift, under certain conditions.

Under the proposal, the Department would inspect TQC establishments approved for a 12-hour operating schedule by a variety of methods. If an establishment were to request to change its operating schedule to up to 12 hours, the Department would verify that the establishment was operating according to its TQC plan after 8 hours of inspection service. Overtime inspection would be authorized for this purpose. The amount of overtime an establishment incurs would be determined by the circuit supervisor and by the nature of the operation and the volume of product being shipped during its expanded hours.

Another provision of the proposal was that establishments would be required to provide a plan for random sampling products that are shipped after 8 hours of operation and a plan for holding the samples until the inspector's next scheduled tour of duty. These verification samples would be required to further assure the establishment was operating according to its TQC plan and preparing products in compliance with the FMIA and PPIA.

Furthermore, immediate containers of products would be required to be coded to indicate when products were produced during the production shift. This would allow the Department to ascertain when any noncompliant product was produced.

In addition to these provisions, the Department would determine the level and intensity of inspection coverage for those establishments approved for expanding their operating schedules.

Establishments operating to up to 12 hours would be required to comply with all provisions of the rule. Those found not to be in compliance would be subject to, at the minimum, the termination provisions found in 9 CFR 318.4(g) and 381.145(g).

Comments Received on Proposal

The comment period on the proposal was scheduled to close on November 14, 1985. However, in response to several requests, FSIS extended the comment period an additional 60 days (50 FR 47060) until January 13, 1986.

The Department received 143 comments in response to the proposal—130 from consumers, 5 from official establishments, 4 from FSIS inspectors, 3 from trade associations, and 1 from an inspectors' union. Of the comments received, 137 opposed the proposal, 5 supported the proposal, and 1 did not voice an opinion.

Of the 130 comments from consumers, 129 were form letters from the same geographic area expressing general

opposition to the proposal because, in their judgment, TQC programs do not offer sufficient inspection of food products. They did not present any evidence or data to support their views or offer any alternative proposal. The other consumer expressed opposition on the grounds that meat and poultry products would not be inspected after the regular 8-hour period.

The comments from FSIS inspectors and the inspectors' union opposed the proposal. Their grounds for opposition were that the proposal: (1) Is unfair to allow TQC establishments to operate without inspection and not afford the same opportunity to non-TQC establishments; (2) encourages establishments to operate up to 12 hours rather than start a new shift; and (3) encourages quality control through reduced overtime charges instead of through the merits of TQC. One inspector suggested that establishments be required to identify the products being produced every 4 hours.

FSIS disagrees with the inspectors' comments. A TQC establishment which has expanded its hours of operation will be inspected. This is analogous to establishments under a patrol assignment where the inspector inspects each of the establishments some time during his/her tour of duty. These establishments continue to operate whether or not the inspector is present. FSIS published this proposal to establish consistent inspection policy for TQC establishments desiring to produce and ship product after their approved operating schedule. An approved TQC system is an agreement between the processor and the Agency which specifies how the production process will be controlled to insure all products are produced in accordance with the regulations. Non-TQC establishments do not enter into such agreement. Therefore, FSIS inspects them under traditional methods which require an inspector's presence when products are produced after 8 hours of inspection.

Several issues were raised by those in support of the proposal as well as those in opposition. The following is a summary of the issues and FSIS's response to each.

1. Overtime Charges

Comment: Three trade associations and one establishment opposed establishments' bearing the cost of overtime for monitoring operations after the inspector's tour of duty. Several proposed that the savings generated by this proposal be used to cover overtime costs. Another suggested that the inspector vary starting times to monitor all phases of the operation or supplement compliance activities for overtime inspection. It was also suggested that the costs and criteria for overtime charges should be made known.

Response: Since an establishment may be approved to operate up to 12 hours, FSIS believes it is necessary to verify how well an establishment is adhering to its QC program at any point during its hours of operation, including the expanded schedule of operations. Therefore, establishments approved to expand their operating schedule may be subject to some overtime charges.

The rule will establish a consistent policy of inspection for establishments under an approved QC program. This will not reduce the Agency's inspection costs. FSIS alternates the inspectors' starting times so that all phases of the operation can be monitored on a random basis. This will be used more frequently. However, FSIS believes the overtime requirement is a necessary regulatory tool that must be available to the Agency and reserves the right to visit an establishment outside normal duty hours.

FSIS initially considered specifying the amount of overtime charges that an establishment could incur. However, by doing so or by establishing overtime criteria, circuit supervisors would be limited in exercising inspection responsibilities since the circuit supervisor determines the need for overtime inspection. Therefore, the rule does not include these types of provisions.

2. Production of Products

Comment: Two trade associations opposed the provision that products produced after 8 hours of inspection must be a continuation of the processing during the last hour of inspection. They contended that such a requirement would be burdensome and would restrict flexibility of small firms.

Response: FSIS is required by law to assure that products produced are wholesome and not adulterated. During an inspector's tour of duty, FSIS has the opportunity to inspect raw ingredients and monitor the production process. If a new process were allowed to be initiated after the inspector's tour of duty, FSIS could not legally assure the safety and wholesomeness of the products produced and shipped. Therefore, the Agency would not meet its legal requirements. FSIS realizes this may restrict the operations of official establishments. However, the establishment could alleviate this through appropriate planning of its production schedules. For these reasons, the requirement remains as a condition for an establishment to expand its operating schedule.

3. Sampling Plan

Comment: Two trade associations and one establishment opposed a separate sampling plan for products shipped after 8 hours of inspection. They stated that since TQC progams require finished product sampling, additional sampling should not be needed, and that this should be the inspectors' responsibility rather than that of the establishment.

Response: FSIS agrees with the comments. Where appropriate, sampling plans are an integral part of a QC program. A sampling plan will include finished product sampling. Therefore, an establishment under TQC with an expanded operating schedule will sample products produced after the inspectors' tour of duty. FSIS does not believe it is necessary for an establishment to hold for subsequent examination samples of products produced after 8 hours of inspection. However, the inspector may take verification samples as he/she deems necessary.

FSIS has other methods in place to sample and inspect products produced after the hours of inspection. The Compliance Program, Meat and Poultry Inspection Operations, routinely takes retail market samples to insure product is in compliance. Also, the TQC program requires finished product sampling as well as verification sampling by the inspector. In addition, this rule makes provisions for the inspector to revisit an establishment on an overtime basis.

FSIS believes the sampling requirements would be burdensome to establishments and does not provide assurances that the TQC program is functioning properly. Thus, FSIS is deleting this requirement from the final rule.

4. One Year Requirement Prior to Expanding Schedule

Comment: Two trade associations voiced opposition to the requirement that only those establishments operating under an approved QC program for at least 1 year may be eligible for extended hours of operation. They contend that, since an establishment must comply with the QC program immediately, there should not be a waiting period. One commenter suggested that the timeframe be reduced to 3 months.

Response: FSIS believes that the establishment, as well as the Agency, needs time to ensure the QC program is operating satisfactorily. Since FSIS cannot prescreen applicants for TQC, except in cases where there are

convictions or perhaps pending indictments, the Agency must have an opportunity to evaluate the establishment's commitment to TQC and the actual operation of the system. Therefore, FSIS will require an establishment to successfully operate under an approved QC program for at least 1 year prior to becoming eligible to expand its operating schedule.

5. Coding of Products

Comment: Two trade associations and one establishment were opposed to the requirement that products produced during expanded hours of operation bear a special code. One commenter suggested that the coding of products should identify products produced every 4 hours rather than after 8 hours of inspection.

Response: The final rule will not require the sampling and holding of samples for examination by the inspector. Since this requirement is being deleted, FSIS needs a mechanism to verify the compliance of products produced and shipped after 8 hours of inspection.

The coding of products allows FSIS to sample, on occasion, products at the retail market and compare those products being produced during 8 hours of inspection with those produced during the expanded hours of operation. The Agency does not plan for this to be a routine monitoring method. Therefore, the coding requirement remains as proposed in the final rule.

Miscellaneous Amendments

FSIS has made several minor amendments in the final rule for clarity purposes.

Final Rule

After careful consideration of the comments received on the proposal, FSIS is adopting the proposed rule, except for the changes previously discussed herein.

List of Subjects

9 CFR Part 307

Meat inspection, Quality control, Facilities, Overtime.

9 CFR Part 318

Meat inspection, Quality control, Reporting requirements, Preparation of products.

9 CFR Part 381

Poultry products inspection, Quality control, Reporting requirements.

The Federal meat and poultry products inspection regulations are amended as follows:

PART 307—[AMENDED]

1. The authority citation for Part 307 continues to read as follows:

Authority: 41 Stat. 241, 7 U.S.C. 394; 34 Stat. 1264, as amended; 21 U.S.C. 621; 62 Stat. 334; 21 U.S.C. 695, 7 CFR 215(a), 2.92.

2. Section 307.4(c) of the Federal meat inspection regulations (9 CFR 307.4(c)) is amended by adding a new sentence at the end thereof to read as follows:

§ 307.4 Schedule of operations.

* * * * *

(c) * * *. These provisions are applicable to all official establishments except in certain cases as provided in § 318.4(h) of this subchapter.

* * * * *

PART 318—[AMENDED]

3. The authority citation for Part 318 continues to read as follows:

Authority: 34 Stat. 1260, 81 Stat. 584, as amended (21 U.S.C. 601 *et seq.*); 72 Stat. 862, 92 Stat. 1069, as amended (7 U.S.C. 1901 *et seq.*); 76 Stat. 663 (7 U.S.C. 450 et seq.), unless otherwise noted.

4. Section 318.4 of the Federal meat inspection regulations (9 CFR 318.4) is amended by adding a new paragraph (h) to read as follows:

§ 318.4 Preparation of products to be officially supervised; responsibilities of official establishment; plant operated quality control.

* * * * *

(h)(1) *Operating Schedule Under Total Plant Quality Control.* An official establishment with an approved total plant quality control system may request approval for an operating schedule of up to 12 consecutive hours per shift. Permission will be granted provided that:

(i) The official establishment has satisfactorily operated under a total plant quality control system for at least 1 year.

(ii) All products prepared and packaged, or processed after the end of 8 hours of inspection shall only be a continuation of the processing monitored by the inspector and being conducted during the last hour of inspection.

(iii) All immediate containers of products prepared and packaged shall bear code marks that are unique to any period of production beyond the 8 hours of inspection. The form of such code marks will remain constant from day to day, and a facsimile of the code marks and their meaning shall be provided to the inspector.

(2) *Application.* Applications shall be submitted to the Regional Director and shall specify how the conditions in § 318.4(h)(1) have been or will be met.

(3) *Monitoring by Inspectors.* In order to verify that an establishment is preparing and shipping product in accordance with the approved total plant quality control system and the Act and regulations after the 8 hours of inspection, the official establishment may be provided overtime inspection services at the discretion of the circuit supervisor and charged for such services.

(Reporting requirements set forth in this section were approved by the Office of Management and Budget under control number 0583–0015.)

PART 381—[AMENDED]

5. The authority citation for Part 381 continues to read as follows:

Authority: 71 Stat. 441, 82 Stat. 791, as amended, 21 U.S.C. 451 *et seq.*; 76 Stat. 663 (7 U.S.C. 450 *et seq.*), unless otherwise noted.

6. Section 381.37(c) of the poultry products inspection regulations (9 CFR 381.37(c)) is amended by adding a new sentence at the end thereof to read as follows:

§ 381.37 Schedule of operations.

* * * * *

(c) * * *. These provisions are applicable to all official establishments except in certain cases as provided in § 381.145(h) of this subchapter.

* * * * *

7. Section 381.145 of the Federal poultry products inspection regulations (9 CFR 381.145) is amended by redesignating the present paragraph (h) as (i) and adding a new paragraph (h) to read as follows:

§ 381.145 Poultry products and other articles entering or at official establishment; examination and other requirements.

* * * * *

(h)(1) *Operating Schedule Under Total Plant Quality Control.* An official establishment with an approved total plant quality control system may request approval for an operating schedule of up to 12 consecutive hours per shift. Permissions will be granted provided that:

(i) The official establishment has satisfactorily operated under a total plant quality control system for at least 1 year.

(ii) All products prepared and packaged, or processed after the end of 8 hours of inspection shall only be a continuation of the processing monitored by the inspector and being

conducted during the last hour of inspection.

(iii) All immediate containers of products prepared and packaged shall bear code marks that are unique to any period of production beyond the 8 hours of inspection. The form of such code marks will remain constant from day to day, and a facsimile of the code marks and their meaning shall be provided to the inspector.

(2) *Application.* Applications shall be submitted to the Regional Director and shall specify how the conditions in § 381.145(h)(1) have been or will be met.

(3) *Monitoring by Inspectors.* In order to verify that an establishment is preparing and shipping product in accordance with the approved total plant quality control system and the Act and regulations after the 8 hours of inspection, the official establishment may be provided overtime inspectiom services at the discretion of the circuit supervisor and charged for such services.

(Reporting requirements set forth in this section were approved by the Office of Management and Budget under control number 0583–0015).

Done at Washington, DC., on: August 26, 1986.

Donald L. Houston,

Administrator, Food Safety and Inspection Service.

[FR Doc. 86–20493 Filed 9–10–86; 8:45 am]

BILLING CODE 3410-DM-M

DEPARTMENT OF JUSTICE

28 CFR Part 16

[AAG/A Order No. 18–86]

Exemption of Records Systems Under the Privacy Act

AGENCY: Department of Justice.

ACTION: Final rule.

SUMMARY: The Department of Justice, Executive Office for Immigration Review, hereby exempts a new system of records entitled "Records and Management Information System, JUSTICE/EOIR–001," from the access and amendment provisions of the Privacy Act, 5 U.S.C. 552a(d). This exemption is needed to preclude access to any information in the system which has been properly classified under an Executive Order for national security reasons. It is also needed to preclude unauthorized access to certain confidential investigatory materials compiled for the purposes of enforcing immigration laws. In addition, the exemption is needed to preclude the amendment of the record of proceeding which constitutes the official record of quasi-judicial administrative proceedings. The records may include transcripts of the proceedings, charging documents, investigatory reports, decisional memoranda, and evidentiary materials such as exhibits and other case-related papers concerning aliens brought into the administrative adjudication process. These records are compiled during the course of proper hearings, established due process procedures, and any relevant investigations. If the individual who is the subject of the record could make ex parte "correction" of the material, administrative due process could not be achieved.

EFFECTIVE DATE: This rule will be effective September 11, 1986.

ADDRESS: J. Michael Clark, Assistant Director, General Services Staff, Justice Management Division, Room 9002, Department of Justice, 601 D Street NW., Washington, D.C. 20530.

FOR FURTHER INFORMATION CONTACT: J. Michael Clark, (202–272–6474).

SUPPLEMENTARY INFORMATION: This rule was first published as a proposed rule at 51 FR 16724, May 6, 1986. At that time, comments were invited until June 5, 1986. One comment was received and considered. A commentator objected to the rule on the grounds that the rule would unduly bar disclosures of most materials contained in the system of records and contended that the regulation to exempt the system was unnecessary because of current Privacy Act limitations on disclosure of confidential information. As stated in the May 6 proposed rule, the exemption applies only to the extent that information in the system is subject to exemption. That is, any information in the system which cannot be defined as (k)(1) or (k)(2) information will not be withheld pursuant thereto simply because "the system" has been exempted. For practical reasons, non-exempt information in the system cannot be segregated and maintained apart from that information which is exempt. Therefore, the exemption is promulgated to protect the (k)(1) and (k)(2) information within the system of records. The exemption is promulgated in accordance with 5 U.S.C. 553(b) (1), (2), and (3), (c), and (e), as required by the Privacy Act, 5 U.S.C. 552a (j) and (k). The exemption will not prevent proper access to the vast majority of information contained in the system.

A description of the "Records and Management Information System" has been published in the Notice section of the **Federal Register** of May 6, 1986 (51 FR 16753).

This order relates to individuals, rather than to small business entities. Nevertheless, pursuant to the requirements of the Regulatory Flexibility Act, 5 U.S.C. 601–612, it is hereby stated that the order will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 28 CFR Part 16

Administrative Practice and Procedure, Courts, Freedom of Information, Privacy, and Sunshine Act.

Pursuant to the authority vested in the Attorney General by 5 U.S.C. 552a and delegated to me by Attorney General No. 793–78, 28 CFR Part 16 is amended to add § 16.83 as set forth below.

Dated: August 6, 1986.

Robert N. Ford,

Acting Assistant Attorney General for Administration.

1. The authority for Part 16 continues to read as follows:

Authority: 28 U.S.C. 509, 510; 5 U.S.C. 301, 552, 552a; 31 U.S.C. 483a unless otherwise noted.

2. 28 CFR Part 16 is amended by adding § 16.83 to read as follows:

§ 16.83 Exemption of the Executive Office for Immigration Review System—Limited Access.

(a) The following system of records is exempt from 5 U.S.C. 552a(d):

(1) The Executive Office for Immigration Review's Records and Management Information System (JUSTICE/EOIR–001). This exemption applies only to the extent that information in the system is subject to exemption pursuant to 5 U.S.C. 552a(k) (1) and (2).

(b) Exemption from the particular subsections are justified for the following reasons:

(1) From subsection (d) because access to information which has been properly classified pursuant to an Executive Order could have an adverse effect on the national security. In addition, from subsection (d) because unauthorized access to certain investigatory material could compromise ongoing or potential investigations; reveal the identity of confidential informants; or constitute unwarranted invasions of the personal privacy of third parties.

(2) From subsection (d) (2), (3), and (4) because the record of proceeding constitutes an official record which includes transcripts of quasi-judicial administrative proceedings, investigatory materials, evidentiary materials such as exhibits, decisional memoranda, and other case-related

papers. Administrative due process could not be achieved by the ex parte "correction" of such materials by the individual who is the subject thereof.

[FR Doc. 86-20422 Filed 9-10-86; 8:45 am]
BILLING CODE 4410-01-M

DEPARTMENT OF LABOR

Bureau of Labor-Management Relations and Cooperative Programs

29 CFR Part 220

Airline Employee Protection Program; Justification Under Court Order

AGENCY: Bureau of Labor-Management Relations and Cooperative Programs, Labor.

ACTION: Secretary of Labor's justification of final rule, pursuant to court order.

SUMMARY: On January 22, 1986, the United States District Court for the District of Columbia issued a favorable decision in the case of *Alaska Airlines Inc., et al.* v. *Brock, et al.*, 632 F.Supp. 178 (D.D.C. 1986), concerning the validity of the regulations promulgated pursuant to the employee protection provisions of the Airline Deregulation Act (ADA or the Act), 49 U.S.C. 1552. The decision upholds the Department's regulations, 29 CFR Part 220 *et seq.*, in all respects, with the single exception of 29 CFR Part 220.21(a)(1), dealing with initial hiring age. With respect to that part of the rule, the court has invalidated it as to pilots and flight officers alone, and has remanded the issue to the Secretary of Labor (the Secretary) for further explanation.

After reviewing the comments in light of the Act, the legislative history and legal precedents, the Secretary concludes that 29 CFR Part 220.21(a)(1) as published on December 27, 1985 (50 FR 53103) is consistent with Congressional intent and does not conflict with any other statutes or court decisions.

EFFECTIVE DATE: October 14, 1986.

FOR FURTHER INFORMATION CONTACT: Jeffrey Salzman, Airline Employee Protection Program, Division of Employee Protections, Room N5416, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210. Phone: (202) 357-0473.

SUPPLEMENTARY INFORMATION:

Background

On December 27, 1985, the Department of Labor, through the Bureau of Labor-Management Relations and Cooperative Programs, published a final rule under section 43 of the Act (the employee protection provisions). 50 FR 53094. With the exception of § 220.21(a)(1), which the district court invalidated as to pilots and flight officers only, the remainder of the final rule became effective on January 27, 1986.

Section 220.21 permits a covered air carrier to apply any qualifications in its hiring process, except limitations based on initial hiring age or the existence of any seniority, recall rights or previous experience with another airline. The court stated that the initial hiring age of pilots and flight officers, that is, the age at which applicants are considered for employment by the covered air carrier, may affect the amount and adequacy of the training and experience they receive. The court then reasoned that this qualification may have an impact on airline safety. Finding safety to be a substantial concern, the court directed the Secretary to address the issue of whether initial hiring age could properly be excluded as a factor in hiring decisions, which issue was raised by comment during the rulemaking process. Accordingly, § 220.21(a)(1) was invalidated by the district court and did not go into effect, but only insofar as it applies to pilots and flight officers; § 220.21(a)(1) went into effect and continues to remain in effect as to all other occupational specialties. Furthermore, pursuant to the order of the district court, this section was remanded to the Secretary for further consideration, with respect to the safety aspects of initial hiring age disqualifications for pilots and flight officers. Since a number of comments were received on this issue when the regulations were first published, it was unnecessary to reopen the rulemaking record.

Comments on the issue of initial hiring age were received from three general sources: trade associations, labor organizations and individuals. The trade associations (industry groups) commented that § 220.21(a)(1) conflicts with their members' policies on initial hiring age for pilots. They state that failure to allow a bona fide occupational qualification (BFOQ) for initial hiring age of pilots will diminish the airlines' ability to deliver the safest possible airline service to their passengers. In support of their position, these commenters rely heavily on *Murnane* v. *American Airlines*, 482 F.Supp. 135 (D. D.C. 1979), *aff'd*, 667 F.2d 98 (D.C. Cir. 1981), *cert. denied*, 456 U.S. 915 (1982). In *Murnane*, the U.S. Court of Appeals for the District of Columbia Circuit held, *inter alia*, that American Airlines' refusal to hire applicants over age 40 as flight officers was justified as a BFOQ under the Age Discrimination in Employment Act of 1967 (ADEA), in the interests of safety.

Comments arguing against permitting the airlines to implement an initial hiring age disqualification were submitted by several labor organizations and individuals. These comments recognized that age discrimination was prevalent in the airline industry and therefore, that the section of the regulations prohibiting use of an initial hiring age disqualification was necessary, in order to effectuate the purpose of the Act. Specifically, one of these commenters asserted that discrimination in hiring pilots over 35 years of age is well known in the commercial aviation industry and should be prohibited.

The Secretary has re-examined the comments, the Act, the legislative history and related case law and has concluded that § 220.21(a)(1) of the regulations accurately reflects the intent of Congress to assist airline industry employees who have made this industry their careers.

Beginning with the Act itself, section 43(d) of the Act states that any person who is a protected employee of an air carrier who is furloughed or otherwise terminated, other than for cause, *"shall have first right of hire, regardless of age,* in his occupation specialty. . . ." (emphasis added). This language is clear and unambiguous, susceptible to no other interpretation than its plain, literal meaning. A fundamental canon of statutory construction is that, unless otherwise defined, words will be interpreted as taking their ordinary, contemporary, common meaning. Ascribing any other meaning of the phrase "regardless of age" would be to ignore the breadth of the statutory language and the underlying Congressional intent which must be identified and effectuated.

With statutory language so clear and unambiguous as this, it is not necessary to refer to the legislative history to discern Congressional intent. However, a review of the legislative history also supports this interpretation. The Senate was concerned with the possible decrease in the number of airline positions as a result of deregulation. In addition, the Senate wanted to protect employees who have demonstrated their dedication to the airline industry:

> Many airline employees have given most of their working lives to the air transportation industry and have too much invested to leave it now. In many cases, a job shift even within the industry would be costly because of lost seniority. *Older employees looking for a new*

job might encounter difficulties because of their age.

Senate Report 95–631. p. 114, 95th Congress 2d Sess., Feb. 5, 1978 (emphasis added).

When interpreting statutory provisions, the objective is to give effect to the legislative will by looking to the object and policy of the whole law. As the foregoing passage indicates, Congress' purpose was to identify those employees who were dependent upon the airline industry, has a measurable attachment to it, and to protect them. By definition, these would tend to be older employees who would become older still during the ten (10) year protected period.

Neither the statute nor the regulations will diminish safety in the air transportation industry. Both Section 43 of the ADA and the Secretary's regulations give a hiring preference only to experienced employees in good standing with air carriers certificated when the ADA went into effect. 49 U.S.C. 1522(d)(1); 29 CFR 220.20(a). Section 220.21(a) permits a covered air carrier to apply "any prerequisites or qualifications determined by it for any vacancy. . . ," with the exception, relevant here, of initial hiring age. The regulations do not in any manner require airlines to lessen their own hiring standards which protected employees must meet, nor limit the airlines' discretion in choosing among protected employees. For example, if a hiring carrier wished to specify that pilots and flight officers have experience in the cockpit on one type of aircraft, it would be free to do so. Hence, a carrier which operated Boeing 727's and specified that it only hired pilots and flight officers who were familiar with such aircraft would not be required to hire a protected employee who had no such experience, if, for example, his previous carrier only operated DC–9's. Section 220.21(a) would permit covered carriers to reapply the same hiring criteria to the protected employees that they use in considering non-protected and non-designated employees. None of the comments included reasons why experienced pilots and flight officers, who are otherwise qualified and who had safely operated a specific type of aircraft for one carrier, could not transfer that ability so as to perform the same duties for a second carrier in a safe manner. The airlines remain free to discharge employees who are unable to perform efficiently and safely and the regulations do not require them even to consider hiring employees terminated for cause by other carriers. 29 CFR 220.10(b)(5). Thus, covered air carriers are not required, either by the statute or the regulations, even to consider applicants unless, by definition, they are experienced and have met the safety requirements of at least one other carrier subject to the same safety obligations. The existing record contains no evidence that the employment of pilots and flight officers above a carrier's maximum age at-hire limitation poses a threat to airline safety. Indeed, if age at-hire in and of itself presented an unacceptable safety risk, then covered air carriers would be precluded from permitting their own pilots to fly beyond that age. If, on the other hand, observance of a maximum age at-hire limitation is a matter of a carrier's preference resting on a basis grounded in cost-effectiveness, then that preference must be balanced against the Congressional mandate that such employees be protected, *regardless of age.*

The trade association commenters assert that the airlines should be permitted to apply their initial hiring age disqualifications despite the "regardless of age" language in section 43(d) of the Act. In support of their position they refer to language from the district court decision in the case of *Murnane* v. *American Airlines, Inc.*, 482 F.Supp. 135 (D. D.C. 1979), *aff'd*, 667 F.2d 98 (D.C. Cir. 1981), *cert. denied*, 456 U.S. 915 (1982), which upheld an initial hiring age disqualification as a BFOQ. However, that case is inapposite for several reasons: the suit was filed under the Age Discrimination In Employment Act of 1967 and not under any provision of the Airline Deregulation Act of 1978; the passage cited for support is dicta; plaintiff was a 43-year old retired Navy and Coast Guard aviator with no previous commercial airline experience who therefore would not even be defined as a "protected employee" under section 43(d) of the Act. Furthermore, both the district court and the court of appeals concluded that even if the age 30 guideline (considered by the courts only at age 40) was held not to be a BFOQ, the plaintiff's demonstrated deficiencies in judgment and flying skills were sufficient in themselves to preclude him from being hired.

The pilot in *Murane* is readily distinguishable from those who are protected employees and thus are guaranteed the first right of hire under the ADA. Section 43(h)(1) of the Act defines a protected employee as a person who had four (4) years of experience with a single covered carrier prior to the 1978 enactment of the ADA. 49 U.S.C. 1552(h)(1). Therefore, by definition, the types of applicants who will be able to invoke the first right of hire for positions of pilots and flight officers will be those who have had a *minimum* of four years of commercial aviation experience as of October 24, 1978. This is a far different situation from that of the applicant for a pilot position in *Murnane*, who did not possess even a single day of commercial aviation experience, let alone four years with a single covered commercial carrier prior to 1978. The fact that all protected employees will have been experienced in their occupational specialty is a significant distinction, since the ability to operate an aircraft safely was the *Murnane* court's overriding concern, not the chronological age of a pilot. As previously stated, if age above a particular carrier's at-hire maximum were to be considered synonymous with the ability to safely pilot an aircraft, then the airlines would not permit their own pilots to continue flying beyond that age. The airlines may objectively measure a protected employee's flying skills, through means such as flight simulators, test flights and medical examinations, rather than relying on a blanket exclusion for pilots and flight officers based on a maximum age at-hire limitation. By so doing, the industry can continue to ensure delivery of the safest carriage of airplane passengers possible, while at the same time effectuating the will of Congress so clearly expressed, namely, to protect designated employees "regardless of age."

Conclusion

The district court remanded 29 CFR 220.21(a)(1), to the Secretary, for consideration of whether airlines should be permitted to apply their initial hiring age disqualifications to those protected employees who are pilots or flight officers, due to concern for airline safety. Comments on the existing record were adequate to address this issue on remand, so that reopening the rulemaking record was not necessary. A re-examination of all comments on this part of the rule was conducted. In addition, the legislative history of the ADA was reviewed and legal precedents regarding maximum age at-hire and airline safety were researched. After thoroughly analyzing this information, it is concluded that Congress meant exactly what it said, when it sought to give the first right of hire to protected employees, "regardless of age." 49 U.S.C. 1552(d)(1). Part of its concern stems from recognition of the fact that older employees who have made the airline industry their career may have difficulty finding new jobs in the industry because of their age. Senate

Report 95–631, p. 114, 95th Congress 2d Sess., Feb. 5, 1978. Thus, based on this review, the Secretary finds that § 220.21(a)(1) should apply to all protected employees, pilots and flight officers included. Therefore, § 220.21(a)(1), as published on December 27, 1985 at 50 FR 53103, will become effective as to pilots and flight officers thirty days after the date of the publication of this document.

Signed at Washington, DC this 8th day of September 1986.

William E. Brock,

Secretary of Labor.

[FR Doc. 86–20457 Filed 9–10–86; 8:45 am]

BILLING CODE 4510–85–M

DEPARTMENT OF DEFENSE

32 CFR Part 90

[DoD Instruction 7045.18]

Collection of Indebtedness Due the United States

AGENCY: Office of the Secretary, DoD.

ACTION: Action rule.

SUMMARY: The Department of Defense (DoD) is revising its regulations on collection of indebtedness due the United States. This revision is necessary to incorporate a new paragraph N which provides DoD guidelines for reporting delinquent debts to the Internal Revenue Service for offset. Section 3720A of subchapter II of Chapter 37 of Title 31 U.S.C. authorizes Federal agencies who are owed past-due legally enforceable debts to notify the Secretary of the Treasury of the amount of such debts. It was approved July 23, 1986.

EFFECTIVE DATE: July 23, 1986.

FOR FURTHER INFORMATION CONTACT: Adam T. Shaw OASD(C) MD, Directorate for Accounting Policy, Room 3A882, The Pentagon, Washington, DC 20301, Telephone: (202) 697–0585.

SUPPLEMENTARY INFORMATION: This change is the third change to the basic instruction. The basic instruction was published in the April 22, 1985 **Federal Register** (50 FR 15734). Change 1 included three specific revisions ordered by the Office of Personnel Management as a condition of OPM approval, required by 5 CFR 550.1104. Also, there were minor administrative revisions. Change 1 was not published in the **Federal Register**. Change 2 (51 FR 28092) was made primarily to clarify Paragraph E.7 of Enclosure 1, "Hearings and Written Submissions." The primary revisions were made to subparagraphs E.7.a.(1)–(3). Paragraphs E.7.a.(1)–(3) were rewritten to more accurately describe the procedures under which a debtor may petition for and be granted a hearing by DoD Creditor Components. The new language explained the circumstances under which each type of hearing will be granted and the documentation required by the petitioner and the Creditor Component in preparing for the hearings. Paragraph M. was a new paragraph which provided guidelines for DoD Components to follow in developing procedures for writing-off and closing-out uncollectible accounts. The paragraph was added to comply with OMB Circular A–129 of May 9, 1985. Change 3 was approved July 23, 1986. The DoD has been working closely with the Office of Management and Budget and the Treasury Department and will participate in the income tax offset program beginning calendar year 1987. This change was added to comply with OMB Circular A–129.

List of Subjects in 32 CFR Part 90

Debt collection.

PART 90—[AMENDED]

Accordingly, 32 CFR Part 90 is amended as follows:

1. The authority citation for Part 90 continues to read as follows:

Authority: 5 U.S.C. 5514.

2. In § 90.6, Enclosure 1 is amended by adding a new paragraph N to read as follows:

Enclosure 1—[Amended]

* * * * *

N. Reporting Delinquent Debts to the Internal Revenue Service for Offset

1. *General.* Section 3720A of subchapter II of Chapter 37 of Title 31, U.S.C. authorizes Federal agencies who are owed past-due legally enforceable debts to notify the Secretary of the Treasury of the amount of such debts. Upon receiving notice from any Federal agency that a named person owes to such agency a past-due legally enforceable debt, the Secretary of the Treasury shall determine whether any tax refunds of Federal Taxes paid, are payable to such person. If the Secretary determines that an amount is payable, he shall reduce such refunds by an amount equal to the amount of such debt, pay the amount of such reduction to such agency and notify such agency of the individual's home address.

2. *Treasury Regulations.* The Secretary of the Treasury has issued regulations prescribing the time or times at which agencies must submit notices of past-due legally enforceable debt, the manner in which such notices must be submitted, and the necessary information that must be maintained in or accompany the notices.

3. *Memorandum of Understanding (MOU).* The Department of Defense will participate in the Internal Revenue Service's Income Tax Refund Offset Program beginning in Calendar Year 1987. This participation is pursuant to a signed MOU between DoD and the Department of the Treasury, hereinafter referred to as IRS. The MOU prescribes the specific conditions DoD must meet before the IRS will accept requests for offset. It also prescribes other responsibilities of the DoD and the IRS including procedures for reimbursement to IRS for the cost of services rendered.

4. *Applicability of The Income Tax Refund Offset Program.* For purposes of this section, a past-due legally enforceable debt referable to the IRS is a debt which:

(1) Except in the case of a judgment debt, has been delinquent for at least three months but has not been delinquent more than 10 years at the time the offset is made;

(2) Cannot be currently collected pursuant to the salary offset provision of 5 U.S.C. 5514(a)(1);

(3) Is ineligible for administrative offset under 31 U.S.C. 3716(a) by reason of 31 U.S.C. 3716(c)(2), or cannot be collected by administrative offset under 31 U.S.C. 3716(a) by the DoD Creditor Component against amounts payable to the debtor by the Creditor Component;

(4) The DoD Component gave the taxpayer at least 60 days to present evidence that all or part of the debt is not past-due or legally enforceable, considered the evidence presented by such taxpayer, and determined that a debt amount is past-due and legally enforceable;

(5) Has been disclosed by such DoD Component to a consumer reporting agency as authorized by 31 U.S.C. 3711(f);

(6) The Component has notified or has made a reasonable attempt to notify, the taxpayer that:

(a) The debt is past due, and

(b) Unless repaid within 60 days thereafter, will be referred to the IRS for offset against any overpayment of tax; and

(7) Is at least $25.

5. *Procedures.* a. The Office of the Deputy Assistant Secretary of Defense (Management Systems) (ODASD(MS)) shall be the sole IRS point of contact for administrative matter, regarding the offset program. However, there shall be a single point of contact in each Military Service, the Army and Air Force Exchange Service (AAFES), and the participating Defense Agencies for ADP systems matters regarding the offset program. These points of contact shall be designated in writing and forwarded to ODASD(MS).

b. Only those DoD Creditor Components who are specifically designated to participate in the IRS offset program shall refer past due debts to the IRS. DoD Components which are not specifically designated shall refer past due debts to the IRS through a Component which has been so designated.

c. DoD Creditor Components who have been specifically designated to participate shall ensure that only those past-due legally enforceable debts described in paragraph N.4. above are forwarded to the IRS for offset. DoD Creditor Components shall also ensure that the procedures prescribed in the MOU between DoD and the IRS are followed

in developing past-due debt information and submitting the debts to the IRS.

d. Applicable DoD Creditor Components shall submit a notification of a taxpayer's liability for past-due legally enforceable debt to the IRS on magnetic tape by January 2, of each year or such other date as may be determined by the IRS. Such notification shall contain:

(1) The name and identifying number of the taxpayer who is responsible for the debt;

(2) The amount of such past-due and legally enforceable debt;

(3) The date of which the debt became past-due;

(4) The designation of the DoD Creditor Component or subcomponent submitting the notification of liability and identification of the DoD Creditor Component program under which the debt was incurred;

(5) A statement accompanying each magnetic tape by the DoD Creditor Component certifying that, with respect to each debt reported on the tape, all of the requirements of paragraph N.4. above have been satisfied.

e. A DoD Component shall promptly notify the IRS to correct DoD data submitted pursuant to paragraph d. above when the DoD Creditor Component:

(1) Determines that an error has been made;

(2) Receives or Credits a payment on such debt. However, a DoD Component shall not notify IRS about subsequent increases in such debts.

f. When advising debtors of an intent to refer a debt to the IRS for offset, DoD Creditor Components shall also advise the debtors of all remedial actions available to defer or prevent the offset process.

Linda M. Lawson,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

September 5, 1986.

[FR Doc. 86-20439 Filed 9-10-86; 8:45 am]

BILLING CODE 3810-01-M

---

32 CFR Part 359

[DoD Directive 5105.22]

Organization, Functions, and Authority Delegations; Defense Logistics Agency

AGENCY: Office of the Secretary, DoD.

ACTION: Final rule.

SUMMARY: This part has been updated to reflect current reporting relationships, consolidate the statement of functions, and conform to current editorial format. In addition, item (t) and (u) have been added to the delegations of authority. This part was last published on July 28, 1978 (43 FR 32759).

EFFECTIVE DATE: August 15, 1986.

FOR FURTHER INFORMATION CONTACT: Mr. Howard Becker, Office of the Assistant Secretary of Defense (Organization and Management Planning), Room 3A326, The Pentagon, Washington, DC, telephone (202) 697-0709.

List of Subjects in 32 CFR Part 359

Organization and functions (government agencies).

Accordingly, 32 CFR Part 359 is revised to read as follows:

PART 359—DEFENSE LOGISTICS AGENCY

Sec.

359.1 Reissuance and purpose.
359.2 Mission.
359.3 Organization and management.
359.4 Responsibilities and functions.
359.5 Authority.
359.6 Relationships.
359.7 Administration.
359.8 Assigned DoD programs/systems.
359.9 Delegations of authority.
359.10 Relationship between commanders of unified commands and overseas elements of the Defense Logistics Agency.

Authority: 10 U.S.C. Chapter 4.

§ 359.1 Reissuance and purpose.

Pursuant to authority vested in the Secretary of Defense under Title 10, U.S.C. this part reissues 32 CFR Part 359 to update the responsibilities, functions, relationships, and authorities of the Defense Logistics Agency (DLA).

§ 359.2 Mission.

The DLA shall function as an integral element of the military logistics system of the Department of Defense to provide effective and efficient worldwide logistics support to the Military Departments and the Unified and Specified Commands under conditions of peace and war, as well as to other DoD Components, Federal Agencies, foreign governments, or international organizations, as assigned. This support shall include:

(a) The provision of material commodities and items of supply that have been determined, through the application of approved criteria, to be appropriate for integrated management by a single agency on behalf of all DoD Components, of that has been otherwise specifically assigned by appropriate authority.

(b) The performance of logistics services directly associated with furnishing material commodities and items of supply (hereafter referred to as "Items").

(c) The administration of Department-wide supply and logistics management systems, programs, and activities, as assigned, including the provision of technical assistance, support services, and information.

§ 359.3 Organization and management.

DLA is established as a separate agency of the Department of Defense under the direction, authority, and control of the Assistant Secretary of Defense (Acquisition and Logistics) (ASD(A&L)). It shall consist of a Director and such subordinate organizational elements as are established by the Director within resources authorized by the Secretary of Defense.

§ 359.4 Responsibilities and functions.

The Director, DLA, shall:

(a) Organize, direct, and manage the DLA and all assigned resources; procure assigned items; and administer, supervise, and control all programs, services, and items assigned to DLA.

(b) Provide staff advice and assistance on supply and logistics matters to the Office of the Secretary of Defense (OSD), the Military Departments, other DoD Components, and other designated organizations, as appropriate.

(c) Maintain a wholesale distribution system for assigned items and accomplish all material management functions required to ensure responsive support to the associated supply and logistics requirements determination, supply control, procurement, quality and reliability assurance, industrial responsiveness and mobilization planning, receipt, storage, inventory accountability and distribution control, transportation, repair, maintenance and manufacture, shelf-life control, provisioning, technical logistic data and information, engineering support, value engineering, standardization, reutilization and marketing, and other related supply and logistics management functions, as appropriate.

(d) Provide contract administration services in support of the Military Departments and other DoD Components, the National Aeronautics and Space Administration, and other designated Federal and State Agencies, foreign governments, and international organizations.

(e) Operate centralized management information and technical report data banks in DLA; oversee the management of contractor-operated DoD Information Analysis Centers in selected fields of science and technology; and provide scientific and technical information to DoD Components, individuals, businesses, educational institutions, government laboratories, government contractors, and others consistent with policy guidance provided by the Under Secretary of Defense for Research and Engineering.

(f) Perform systems analysis and design, procedural development, and maintenance for supply and service systems and other logistics matters assigned by the Secretary of Defense.

(g) Administer, manage, and operate the DoD-wide programs and systems listed in § 359.8 and recommend periodic revisions to this list, as appropriate.

(h) Develop, monitor, and maintain effective supply relationships with the General Services Administration (GSA) in order to ensure the timely availability of GSA items required by DoD Components.

§ 359.5 Authority.

The Director, DLA, is specifically delegated authority to:

(a) Meet the needs of the Military Departments and other authorized customers by conducting, directing, supervising or controlling all procurement activities with respect to property, supplies, and services assigned to DLA for procurement in accordance with applicable laws, DoD Regulations, the Federal Acquisition Regulation (FAR) and the DoD FAR Supplement (DFARS). To the extent that any law or Executive order specifically limits the exercise of such authority to persons at the Secretarial level of a Military Department, such authority shall be exercised by the ASD(A&L).

(b) Have free and direct access to, and communicate with, all elements of the Department of Defense and other executive departments and agencies, as necessary.

(c) Prescribe procedures, standards, and practices for the Department of Defense, governing the executive of assigned responsibilities and functions.

(d) Obtain such reports, information, advice, and assistance from other DoD Components consistent with the policies and criteria of DoD Directive 5000.19 [1] as may be necessary for the performance of assigned functions and responsibilities.

(e) Establish new DLA facilities or recommend to the ASD(A&L) the reassignment to DLA or use of existing facilities of the Military Departments by DLA, as deemed necessary for improved effectiveness and economy.

(f) Provide membership on the Defense Acquisition Regulatory Council (DAR Council), participate with the Secretaries of the Military Departments and Federal Agencies in developing and publishing the FAR and participate with the Secretaries of the Military Departments in developing and publishing the DFARS.

(g) Exercise the administrative authorities contained in § 359.9.

§ 359.6 Relationship.

(a) In performing assigned functions, the Director, DLA, shall:

(1) Maintain appropriate liaison with other DoD Components, agencies of the Executive Branch, foreign governments and international organizations for the exchange of information on programs and activities in the field of assigned responsibilities.

(2) Maintain close working relationships with weapon systems managers of the Military Departments to ensure integration of effort and exchange of technical programs and reference data.

(3) Make use of established facilities and services in the Department of Defense or other governmental agencies wherever practicable to achieve maximum efficiency and economy.

(b) The Joint Chiefs of Staff, the Secretaries of the Military Departments, and the heads of other DoD Components shall provide support and logistical planning information, within their areas of responsibility, to the Director, DLA, in carrying out the responsibilities and functions assigned to DLA.

(c) The relationship between commanders of Unified Commands and overseas elements of DLA is defined in § 359.10.

§ 359.7 Administration.

(a) The Director shall be selected by the Secretary of Defense.

(b) When the Director and Deputy Director(s) are military officers, they shall normally be selected from different Military Departments.

(c) DLA shall be authorized such personnel, facilities, funds, and other administrative support as the Secretary of Defense deems necessary.

(d) The Military Departments shall assign military personnel to DLA in accordance with approved authorizations and procedures for assignments to joint duty.

(e) Programming, budgeting, funding, auditing, accounting, pricing, and reporting activities of DLA shall be in accordance with established DoD policy and procedures. DLA shall utilize appropriated funds to finance the operating costs of the Agency; a stock fund to finance all inventories procured for resale; and, when appropriate, an industrial fund for financing industrial-commercial type operations.

§ 359.8 Assigned DoD Programs/systems.

The following DoD programs/systems are assigned to DLA to administer, manage, and operate:

- DoD Coordinated Procurement.
- Federal Catalog System.
- DoD Industrial Plant Equipment.
- Operating Military Parts Control Advisory Groups for Standardization of Parts at the System Equipment Design Stage.
- DoD-wide Program for Redistribution/Reutilization of Excess Government-Owned or-Leased Automation Equipment.
- Defense Automatic Addressing System.
- Defense Precious Metals Recovery.
- Executive Agent for Material Redistribution via the Defense European and Pacific Redistribution Activity.
- Assigned Aspects of DoD Food Service Management.
- Military Standard Logistics Systems.
- Logistics Data Element Standardization Management.
- Defense Procurement Management Review.
- Defense Energy Information System.
- Centralized Referral System.
- Overseas Employment Referral.
- Automation Resources Management System.
- DoD Reenlistment Eligibility Reporting Information System.
- Commercial and Industrial-Type Activities Inventory Information Systems.
- Depot Maintenance and Maintenance Support Cost Accounting and Production Reporting Information System.
- Commercial or Industrial Type Products and Services Information Systems Data Base.
- DoD Shelflife Item Management.
- DoD Scientific and Technical Information.
- DoD Information Analysis Center.
- DoD Hazardous Materials Information System.
- Hazardous Material Technology Development.
- DoD-wide Interchangeability/Substitutability.
- DoD Personal Property Utilization and Disposal.
- DoD Industrial Resources Management.
- Integrated Material Manager for Bulk Petroleum.
- DoD Specification Standardization.
- DoD Investigative Management Information Management System.

[1] Copies may be obtained, if needed, from the U.S. Naval Publications and Forms Center, ATTN: Code 301, 5801 Tabor Avenue, Philadelphia, PA 19120.

§ 359.9 Delegations of authority.

Pursuant to the authority vested in the Secretary of Defense, and subject to the direction, authority, and control of the Secretary of Defense, and in accordance with DoD policies, Directives, and Instructions, the Director, DLA, or in the absence of the Director, the person acting for the Director, is hereby delegated authority as required in the administration and operation of DLA to:

(a) Exercise the powers vested in the Secretary of Defense by 5 U.S.C. 301, 302(b), and 3101 pertaining to the employment, direction and general administration of DLA civilian personnel.

(b) Fix rates of pay for wage-rate employees exempted from the Classification Act of 1949 by 5 U.S.C. 5102 on the basis of rates established under the Combined Federal Wage System. In fixing such rates, the Director, DLA, shall follow the wage schedule established by the DoD Wage Fixing Authority.

(c) Establish advisory committees and employ part-time advisors as approved by the Secretary of Defense for the Performance of DLA functions pursuant to the provisions of 10 U.S.C. 173, 5 U.S.C. 3109(b), and the agreement between the Department of Defense and the Office of Personnel Management (OPM) on employment of experts and consultants, dated June 21, 1977.

(d) Administer oaths of office incident to entrance into the Executive Branch of the Federal Government of any other oath required by law in connection with employment therein, in accordance with the provisions of 5 U.S.C. 2903, and designate in writing, as may be necessary, officers and employees of DLA to perform this function.

(e) Establish a DLA Incentive Awards Board and pay cash awards to, and incur necessary expenses for the honorary recognition of, civilian employees of the Government whose suggestions, inventions, superior accomplishments, or other personal efforts, including special acts or services, benefit or effect DLA or its subordinate activities, in accordance with the provisions of 5 U.S.C. 4503 and OPM regulations.

(f) In accordance with the provisions of 5 U.S.C. 7532; Executive Orders 10450, 12333, and 12356; and DoD Directive 5200.2 [2], "DoD Personnel Security program," December 20, 1979:

(1) Designate the security sensitivity of positions within DLA.

(2) Authorize, in case of an emergency, the appointment of a person to a sensitive position in DLA for a limited period of time for whom a full field investigation or other appropriate investigation, including the National Agency Check, has not been completed.

(3) Authorize the suspension, but not terminate the services of a DLA employee in the interest of national security.

(4) Initiates investigations, issue personnel security clearances and, if necessary, in the interest of national security, suspend, revoke, or deny a security clearance for personnel assigned or detailed to, or employed by DLA. Any action to deny or revoke a security clearance prescribed in DoD 5200.2–R, "DOD Personnel Security Program," December 1979.

(g) Act as agent for the collection and payment of employment taxes imposed by Chapter 21 of the Internal Revenue Code of 1954, as amended; and, as such agent, make all determinations and certifications required or provided for under the Internal Revenue Code of 1954, as amended (26 U.S.C. 3122) and the Social Security Act, as amended (42 U.S.C. 405(p) (1) and (2)) with respect to DLA employees.

(h) Authorize and approve overtime work for DLA civilian personnel in accordance with the provisions of 5 U.S.C. Chapter 55, Subchapter V, and applicable OPM regulations.

(i) Authorize and approve:

(1) Travel for DLA civilian personnel in accordance with Joint Travel regulations, Volume 2, "DoD Civilian Personnel."

(2) Temporary duty travel for military personnel assigned or detailed to DLA in accordance with Joint Travel regulations, Volume 1, "Members of Uniformed Services."

(3) Invitational travel to persons serving without compensation whose consultatives, advisory, or other highly specialized technical services are required in a capacity that is directly related to, or in connection with DLA activities, pursuant to the provisions of 5 U.S.C. 5703.

(j) Approves the expenditure of funds available for travel by military personnel assigned or detailed to DLA for expenses incident to attendance at meetings of technical, scientific, professional, or other similar organizations in such instances where the approval of the Secretary of Defense, or designee, is required by law (37 U.S.C. 412 and 5 U.S.C. 4110 and 4111). This authority cannot be redelegated.

(k) Develop, establish, and maintain an active and continuing Records Management Program, pursuant to the provisions of 44 U.S.C. 3102 and DoD Directive 5015.2,[3] "Records Management Program," September 17, 1980.

(l) Establish and use imprest funds for making small purchases of material and services, other than personal, for DLA, when it is determined more advantageous and consistent with the best interests of the Government, in accordance with the provisions of DoD Instruction 5100.71,[4] "Delegation of Authority and Regulations Relating to Cash Held at Personal Risk Including Imprest Funds," March 5, 1973.

(m) Authorize the publication of advertisements, notices, or proposals in newspapers, magazines, or other public periodicals as required for the effective administration and operation of DLA, consistent with 44 U.S.C. 3702.

(n) Establish and maintain appropriate property accounts for DLA and appoint Boards of Survey, approve reports of survey, relieve personal liability, and drop accountability for DLA property contained in the authorized property accounts that has been lost, damaged, stolen, destroyed, or otherwise rendered unserviceable, in accordance with applicable laws and regulations.

(o) Promulgate the necessary security regulations for the protection of property and places under the jurisdiction of the Director, DLA, pursuant to DoD Directive 5200.8,[5] "Security of Military Installations and Resources," July 29, 1980, and serve as central coordinator of criminal investigative support to DLA.

(p) Establish and maintain, for the functions assigned, an appropriate publications system for the promulgation of common supply and service regulation, instructions, and reference documents, and changes thereto, pursuant to the policies and procedures prescribed in DOD Directive 5025.1,[6] "Department of Defense Directives System," October 16, 1980.

(q) Enter into support and service agreement with the Military departments, other DoD Components, other Government agencies, and foreign governments, as required for the effective performance of DLA functions and responsibilities.

(r) Exercise the authority delegated to the Secretary of Defense by the Administrator of the General Services Administration with respect to the disposal of surplus personal property.

(s) Exercise the authority and responsibility for the ASD(A&L) as delegated to the National Industrial

[2] See § 359.5(d)

[3] See § 359.5(d)

[4] See § 359.5(d)

[5] See § 359.5(d)

[6] See § 359.5(d)

Equipment Reserve established by the National Industrial Equipment Reserve Act of 1948, as amended (50 U.S.C. 451 et seq.).

(t) Designate an officer or employee of DLA to serve as the advocate for competition of the Agency, pursuant to 10 U.S.C. 2318.

(u) Maintain an official seal and attest to the authenticity of official DLA records under that seal.

The Director, DLA, may redelegate these authorities as appropriate, and in writing, except as otherwise specifically indicated above or as otherwise provided by law or regulation.

These delegations of authority are effective immediately.

§ 359.10 Relationship between commanders of unified commands and overseas elements of the Defense Logistics Agency.

When the Secretary of Defense assigns mission responsibilities to the Director, DLA, for the performance of integrated management functions outside the continental United States (CONUS) command relationships and interfaces pertinent to DLA elements assigned overseas shall be in consonance with the following:

(a) The *Director, DLA* shall:

(1) Ensure that missions assigned to DLA are carried out and coordinated in a manner fully responsive to, and in accordance with, the requirements of the appropriate Unified and Component Commanders.

(2) Coordinate matters of significant mutual command and management interest with the Unified Commander and/or the Joint Chiefs of Staff (JCS).

(3) Develop resource requirements for DLA overseas activities and in coordination with the applicable Unified Commanders, establish/disestablish DLA elements as dictated by mission requirements and objectives.

(4) Develop resource requirements for DLA overseas activities and in coordination with the applicable Unified Commanders, establish/disestablish DLA elements as dictated by mission requirements and objectives.

(5) Ensure compliance with physical security requirements promulgated by Unified or Component Commanders.

(6) Provide for the management and direction of DLA overseas activities, including budgeting, internal review, personnel support, and internal administration.

(b) The *Commander, Headquarters, DLA Europe (DEUR)* shall:

(1) Represent the Director, DLA, in the European Theater.

(2) Assist and advise the Director, DLA, in accomplishing assigned responsibilities in the European Theater.

(3) Coordinate plans and related matters to ensure continuity of DLA mission support during emergency conditions in the European Theater.

(4) Coordinate matters affecting customer supply assistance in the European Theater.

(5) Perform responsibilities with respect to DEUR and assist other DLA Overseas Elements in Europe as appropriate.

(c) The *Commander of Unified Command* is authorized to, and as appropriate, shall:

(1) Exercise directive authority in the field of logistics over DLA elements within the Commander's geographic area of responsibility to ensure effectiveness and economy in operations, and the prevention or elimination of unnecessary duplication of facilities and overlapping of functions. This authority is defined as that required to ensure the coordination, as necessary, of:

(i) Acquisition, storage, movement, distribution, maintenance, evacuation, and disposition of material.

(ii) Movement and evacuation of personnel.

(iii) Acquisition or construction, maintenance, operation, and disposition of facilities.

(iv) Acquisition or furnishing of services.

The Commander shall exercise such authority, after prior coodination locally with the pertinent DLA overseas activity, directly with the Director, DLA, or through the JCS, as appropriate.

(2) In the event of a major emergency which necessitates use of all available forces, assume temporary operational control of all DLA elements in the Commander's area of responsibility. The determination of the existence of such an emergency is the responsibility of the Commander concerned who, on assuming temporary operational control of DLA elements, shall immediately advise the following of the nature and estimated duration of employment:

(i) The JCS.

(ii) The appropriate operational Commander.

(iii) The Director, DLA.

(3) Exercise administrative direction over DLA elements in their area of responsibility in a manner consistent with, and comparable to, that exercised over assigned forces and elements of other DoD Components within the command. This will include, without being limited to, matters relating to Status of Forces Agreements and other agreements with host Nations, standards for dress and conduct, general theater regulations applicable to all U.S. Forces, and War and Emergency Plans.

(4) Provide, in accordance with existing DoD policy for interservice support, guidance on support between DLA overseas elements and components of the Military Services.

(5) Advise the Director, DLA, of any recommended changes to, or dissatisfactions with, the type, adequacy, and responsiveness of logistic support provided by DLA to and within the command. Unresolved issues between the Director, DLA, and a Commander of a Unified Command shall be referred to the JCS for resolution or forwarding to the ASD(A&L) for final determination when a negotiated resolution cannot be achieved.

(d) *Commanders of Component Commands* shall:

(1) Exercise such responsibilities and authorities pertinent to DLA elements as may be assigned or otherwise delegated to them by the Commander of their Unified Command.

(2) Provide for the physical security and administrative and logistic support of DLA elements as agreed to by DLA and Component Commands concerned under host/tenant agreements.

Linda M. Lawson,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

September 5, 1986.

[FR Doc. 86-20442 Filed 9-10-86; 8:45 am]

BILLING CODE 3810-01-M

Department of the Navy

32 CFR Part 706

Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea; USS CLAUDE V. RICKETTS and USS WADDELL

AGENCY: Department of the Navy, DOD.

ACTION: Final rule.

SUMMARY: The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Secretary of the Navy has determined that USS CLAUDE V. RICKETTS (DDG 5) and USS WADDELL (DDG 24) are vessels of the Navy which, due to their special construction and purpose, cannot comply fully with certain provisions of the 72 COLREGS without interfering with their special functions as naval destroyers. The intended effect of this rule is to warn

mariners in waters where 72 COLREGS apply.

EFFECTIVE DATE: August 27, 1986.

FOR FURTHER INFORMATION CONTACT: Captain P.C. Turner, JAGC, U.S. Navy, Admiralty Counsel, Office of the Judge Advocate General, Navy Department, 200 Stovall Street, Alexandria, VA 22332–2400, Telephone number: (202) 325–9744.

SUPPLEMENTARY INFORMATION: Pursuant to the authority granted in 33 U.S.C. 1605, the Department of the Navy amends 32 CFR Part 706. This amendment provides notice that the Secretary of the Navy has certified that USS CLAUDE V. RICKETTS (DDG 5) and USS WADDELL (DDG 24) are vessels of the Navy which, due to their special construction and purpose, cannot comply fully with 72 COLREGS: Annex I, section 2(a)(i), pertaining to the placement of the forward masthead light, without interfering with their special functions as naval destroyers. The Secretary of the Navy has also certified that the above-mentioned light is located in closest possible compliance with the applicable 72 COLREGS requirements.

Notice is also provided to the effect that USS CLAUDE V. RICKETTS (DDG 5) and USS WADDELL (DDG 24) are members of the DDG 2 class of vessels for which certain exemptions, pursuant to 72 COLREGS, Rule 38, have been previously authorized by the Secretary of the Navy. The exemptions pertaining to that class, found in the existing tables of section 706.3, are equally applicable to these two vessels.

Moreover, it has been determined, in accordance with 32 CFR Parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on these vessels in a manner differently from that prescribed herein will adversely affect the vessels' abilities to perform their military functions.

List of Subjects in 32 CFR Part 706

Marine safety, Navigation (water), Vessels.

PART 706—[AMENDED]

Accordingly, 32 CFR Part 706 is amended as follows:

1. The authority citation for 32 CFR Part 706 continues to read:

Authority: 33 U.S.C. 1605.

§ 706.2 [Amended]

1. Table 1 of § 706.2 is amended by adding the following vessels:

Vessel	Number	Distance [1]
USS CLAUDE V. RICKETTS	DDG 5	2.45
USS WADDELL	DDG 24	2.17

[1] Distance in meters of forward masthead light below minimum required height. § 2(a)(i), Annex I.

Dated: August 27, 1986.
Approved:
John Lehman,
Secretary of the Navy.

[FR Doc. 86–20462 Filed 9–10–86; 8:45 am]
BILLING CODE 3810-AE-M

32 CFR Part 706

Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea; USS BLUE RIDGE

AGENCY: Department of the Navy, DOD.

ACTION: Final rule.

SUMMARY: The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Secretary of the Navy has determined that USS BLUE RIDGE (LCC 19) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with certain provisions of the 72 COLREGS without interfering with its special function as an amphibious command vessel. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

EFFECTIVE DATE: August 27, 1986.

FOR FURTHER INFORMATION CONTACT: Captain P.C. Turner, JAGC, U.S. Navy, Admiralty Counsel, Office of the Judge Advocate General, Navy Department, 200 Stovall Street, Alexandria, VA 22332–2400, Telephone number: (202) 325–9744.

SUPPLEMENTARY INFORMATION: Pursuant to the authority granted in 33 U.S.C. 1605, the Department of the Navy amends 32 CFR Part 706. This amendment provides notice that the Secretary of the Navy has certified that USS BLUE RIDGE (LCC 19) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with 72 COLREGS, Annex I, section 3(a), pertaining to the placement of the after masthead light and the horizontal distance between the forward and after masthead lights, without interfering with its special function as a Navy ship. The Secretary of the Navy has also certified that the aforementioned lights are located in closest possible compliance with the applicable 72 COLREGS requirements.

Moreover, it has been determined, in accordance with 32 CFR Parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this vessel in a manner differently from that prescribed herein will adversely affect the ship's ability to perform its military functions.

List of Subjects in 32 CFR Part 706

Marine safety, Navigation (water), Vessels.

PART 706—[AMENDED]

Accordingly, 32 CFR Part 706 is amended as follows:

1. The authority citation for 32 CFR Part 706 continues to read:

Authority: 433 U.S.C. 1605.

§ 706.2 [Amended]

1. Table Five of § 706.2 is amended by adding the following vessel:

Vessel	Number	Forward masthead light less than the required height above hull. Annex I, sec. 2(a)(i)	Aft masthead light less than 4.5 meters above forward masthead light. Annex I, sec. 2(a)(ii)	Masthead lights not over all other lights and obstructions. Annex I, sec. 2(f)	Vertical separation of masthead lights used when towing less than required by Annex I, sec. 2(a)(i)	Aft masthead lights not visible over forward light 1,000 meters ahead of ship in all normal degrees of trim. Annex I, sec. 2(b)	Forward masthead light not in forward quarter of ship. Annex I, sec. 3(a)	After masthead light less than ½ ship's length aft of forward masthead light. Annex I, sec. (3)(a)	Percentage horizontal separation attained
USS BLUE RIDGE	LCC 19	N/A	N/A	N/A	N/A	N/A	N/A	x	70

Dated: August 27, 1986.

Approved:

John Lehman,

Secretary of the Navy.

[FR Doc. 86-20461 Filed 9-10-86; 8:45 am]

BILLING CODE 3810-AE-M

32 CFR Part 706

Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea; USS MACDONOUGH

AGENCY: Department of the Navy, DOD.

ACTION: Final rule.

SUMMARY: The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Secretary of the Navy has determined that USS MACDONOUGH (DDG 39) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with certain provisions of the 72 COLREGS without interfering with its special functions as a naval destroyer. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

EFFECTIVE DATE: August 13, 1986.

FOR FURTHER INFORMATION CONTACT: Captain P.C. Turner, JAGC, U.S. Navy, Admiralty Counsel, Office of the Judge Advocate General, Navy Department, 200 Stovall Street, Alexandria, VA 22332-2400 Telephone number: (202) 325-9744.

SUPPLEMENTARY INFORMATION: Pursuant to the authority granted in 33 U.S.C. 1605, the Department of the Navy amends 32 CFR Part 706. This amendment provides notice that the Secretary of the Navy has certified that USS MACDONOUGH (DDG 39) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with 72 COLREGS: Rule 21(a), regarding the arc of visibility of its forward masthead light, and Annex I, section 3(a), regarding the location of the forward masthead light in the forward quarter of the vessel and the horizontal distance between the forward and after masthead lights. Full compliance with the above-mentioned 72 COLREGS provisions would interfere with the special functions and purposes of the vessel. The Secretary of the Navy has also certified that the above-mentioned lights are located in closest possible compliance with the applicable 72 COLREGS requirements.

Moreover, it has been determined, in accordance with 32 CFR Parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this vessel in a manner different from that prescribed herein will adversely affect the vessel's ability to perform its military functions.

List of Subjects in 32 CFR Part 706

Marine safety, Navigation (water), Vessels.

PART 706—[AMENDED]

1. The authority citation for 32 CFR Part 706 continues to read:

Authority: 33 U.S.C. 1605.

§706.2 [Amended]

2. Table 4 of § 706.2 is amended by adding to the existing paragraph 22 the following vessel:

Table Four

* * * * *

Vessel	Number	Obscured angles relative to ship's heading
*	*	*
USS MACDONOUGH	DDG 39	18.7° and 341.3°.

3. Table 5 of § 706.2 is amended by adding the following vessel:

Vessel	Number	Forward masthead light less than the required height above hull. Annex I, sec. 2(a)(i)	Aft masthead light less than 4.5 meters above forward masthead light. Annex I, sec. 2(a)(ii)	Masthead lights not over all other lights and obstructions. Annex I, sec. 2(f)	Vertical separation of masthead lights used when towing less than required by Annex I, sec. 2(a)(i)	Aft masthead lights not visible over forward light 1,000 meters ahead of ship in all normal degrees of trim. Annex I, sec. 2(b)	Forward masthead light not in forward quarter of ship. Annex I, sec. 3(a)	After masthead light less than ½ ship's length aft of forward masthead. Annex I, sec. (3)(a)	Percentage horizontal separation attained
USS MACDONOUGH	DDG 39	N/A	N/A	N/A	N/A	N/A	X	X	23

Dated: 13 August, 1986.
Approved:
John Lehman,
Secretary of the Navy.
[FR Doc. 86-20463 Filed 9-10-86; 8:45 am]
BILLING CODE 3810-AE-M

32 CFR Part 706

Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea; USS MAUNA KEA

AGENCY: Department of the Navy, DOT.
ACTION: Final rule.

SUMMARY: The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Secretary of the Navy has determined that USS MAUNA KEA (AE 22) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with certain provisions of the 72 COLREGS without interfering with its special function as a naval ammunition ship. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

EFFECTIVE DATE: August 27, 1986.

FOR FURTHER INFORMATION CONTACT: Captain P.C. Turner, JAGC, U.S. Navy, Admiralty Counsel, Office of the Judge Advocate General, Navy Department, 200 Stovall Street, Alexandria, VA 22332-2400 Telephone number: (202) 325-9744.

SUPPLEMENTARY INFORMATION: Pursuant to the authority granted in 33 U.S.C. 1605, the Department of the Navy amends 32 CFR Part 706. This amendment provides notice that the Secretary of the Navy has certified that USS MAUNA KEA (AE 22) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with 72 COLREGS, Annex I, section 3(a), pertaining to the placement of the after masthead light and the horizontal distance between the forward and after masthead lights, without interfering with its special function as a Navy ship. The Secretary of the Navy has also certified that the aforementioned lights are located in closest possible compliance with the applicable 72 COLREGS requirements.

Moreover, it has been determined, in accordance with 32 CFR Parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this vessel in a manner different from that prescribed herein will adversely affect the ship's ability to perform its military functions.

List of Subjects in 32 CFR Part 706

Marine safety, Navigation (water), Vessels.

PART 706—[AMENDED]

Accordingly, 32 CFR Part 706 is amended as follows:

1. The authority citation for 32 CFR Part 706 continues to read:

Authority: 33 U.S.C. 1605.

§ 706.2 [Amended]

1. Table Five of § 706.2 is amended by adding the following vessel:

Vessel	Number	Forward masthead light less than the required height above hull. Annex I, sec. 2(a)(i)	Aft masthead light less than 4.5 meters above forward masthead light. Annex I, sec. 2(a)(ii)	Masthead lights not over all other lights and obstructions. Annex I, sec. 2(f)	Vertical separation of masthead lights used when towing less than required by Annex I, sec. 2(a)(i)	Aft masthead lights not visible over forward light 1,000 meters ahead of ship in all normal degrees of trim. Annex I, sec. 2(b)	Forward masthead light not in forward quarter of ship. Annex I, sec. 3(a)	After masthead light less than ½ ship's length aft of forward masthead light. Annex I, sec. (3)(a)	Percentage horizontal separation attained
USS MAUNA KEA	AE 22	N/A	N/A	N/A	N/A	N/A	N/A	X	88

Dated: August 27, 1986.
Approved:
John Lehman,
Secretary of the Navy.
[FR Doc. 86-20464 Filed 9-10-86; 8:45 am]
BILLING CODE 3810-AE-M

32 CFR Part 706

Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea; USS PONCE

AGENCY: Department of the Navy, DOD.
ACTION: Final rule.

SUMMARY: The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Secretary of the Navy has determined the USS PONCE (LPD 15) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with certain provisions of the 72 COLREGS without interfering with its special functions as a naval amphibious transport dock ship. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

EFFECTIVE DATE: August 27, 1986.

FOR FURTHER INFORMATION CONTACT: Captain P.C. Turner, JAGC, U.S. Navy, Admiralty Counsel, Office of the Judge Advocate General, Navy Department, 200 Stovall Street, Alexandria, VA 22332-2400 Telephone number: (202) 325-9744.

SUPPLEMENTARY INFORMATION: Pursuant to the authority granted in 33 U.S.C. 1605, the Department of the Navy amends 32 CFR Part 706. This amendment provides notice that the Secretary of the Navy has certified that USS PONCE (LPD 15) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with 72 COLREGS, Annex I, section 3(a), pertaining to the placement of the after masthead light and the horizontal distance between the forward and after masthead lights, without interfering with its special functions as a Navy ship. The Secretary of the Navy has also certified that the aforementioned lights are located in closest possible compliance with the applicable 72 COLREGS requirements.

Moreover, it has been determined, in accordance with 32 CFR Parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this ship in a manner differently from that prescribed herein will adversely affect the ship's ability to perform its military functions.

List of Subjects in 32 CFR Part 706

Marine safety, Navigation (water), Vessels.

PART 706—[AMENDED]

Accordingly, 32 CFR Part 706 is amended as follows:

1. The authority citation for 32 CFR Part 706 continues to read:

Authority: 33 U.S.C. 1605.

§ 706.2 [Amended]

1. Table Five of § 706.2 is amended by adding the following vessel:

Vessel	Number	Forward masthead light less than the required height above hull. Annex I, sec. 2(a)(i)	Aft masthead light less than 4.5 meters above forward masthead light. Sec 2 (a)(ii)	Masthead lights not over all other lights and obstructions. Annex I, sec. 2(f)	Vertical separation of masthead lights used when towing less than required by Annex I, sec. 2(a)(i)	Aft masthead lights not visible over forward light 1,000 meters ahead of ship in all normal degrees of trim. Annex I, sec. 2(b)	Forward masthead light not in forward quarter of ship. Annex I, sec. 3(a)	After masthead light less than ½ ship's length aft of forward masthead light. Annex I, sec. (3)(a)	Percentage horizontal separation attained
USS PONCE	LPD 15	N/A	N/A	N/A	N/A	N/A	N/A	X	55

Dated: August 27, 1986.
Approved:
John Lehman,
Secretary of the Navy.
[FR Doc. 86-20465 Filed 9-10-86; 8:45 am]
BILLING CODE 3810-AE-M

32 CFR Part 706

Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea USS TARAWA et al.

AGENCY: Department of the Navy, DOD.
ACTION: Final Rule.

SUMMARY: The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Secretary of the Navy has determined that USS TARAWA (LHA 1) Class ships are vessels of the Navy which, due to their special construction and purpose, cannot comply fully with certain provisions of the 72 COLREGS without interfering with their special functions as naval amphibious assault ships. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

EFFECTIVE DATE: August 27, 1986.

FOR FURTHER INFORMATION CONTACT: Captain P.C. Turner, JAGC, U.S. Navy, Admiralty Counsel, Office of the Judge Advocate General, Navy Department, 200 Stovall Street, Alexandria, VA 22332-2400, Telephone number: (202) 325-9744.

SUPPLEMENTARY INFORMATION: Pursuant to the authority granted in 33 U.S.C. 1605, the Department of the Navy amends 32 CFR Part 706. This amendment provides notice that the Secretary of the Navy has certified that USS TARAWA (LHA 1) Class ships are vessels of the Navy which, due to their special construction and purpose, cannot comply fully with 72 COLREGS, Annex I, section 3(a), pertaining to the location of the forward masthead light in the forward quarter of the ship and the horizontal distance between the forward and after masthead lights, without interfering with their special functions as Navy ships. The Secretary of the Navy has also certified that the aforementioned lights are located in closest possible compliance with the applicable 72 COLREGS requirements.

Moreover, it has been determined, in accordance with 32 CFR Parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on these ships in a manner differently from that prescribed herein will adversely affect the ships' ability to perform their military functions.

List of Subjects in 32 CFR Part 706

Marine safety, Navigation (water), Vessels.

PART 706—[AMENDED]

Accordingly, 32 CFR Part 706 is amended as follows:

1. The authority citation for 32 CFR Part 706 continues to read:

Authority: 33 U.S.C. 1605.

§ 706.2 [Amended]

1. Table Five of § 706.2 is amended by adding the following vessels:

Vessel	Number	Forward masthead light less than the required height above hull. Annex I, sec. 2(a)(i)	Aft masthead light less than 4.5 meters above forward masthead light. Sec. 2 (a)(ii)	Masthead lights not over all other lights and obstructions. Annex I, sec. 2(f)	Vertical separation of masthead lights used when towing less than required by Annex I, sec. 2(a)(i)	Aft masthead lights not visible over forward light 1,000 meters ahead of ship in all normal degrees of trim. Annex I, sec. 2(b)	Forward masthead light not in forward quarter of ship. Annex I, sec. 3(a)	After masterhead light less than ½ ship's length aft of forward masthead light. Annex I, sec. (3)(a)	Percentage horizontal separation attained
USS TARAWA	LHA 1	N/A	N/A	N/A	N/A	N/A	X	X	13
USS SAIPAN	LHA 2	N/A	N/A	N/A	N/A	N/A	X	X	13
USS BELLEAU WOOD	LHA 3	N/A	N/A	N/A	N/A	N/A	X	X	13
USS NASSAU	LHA 4	N/A	N/A	N/A	N/A	N/A	X	X	13
USS PELELIU	LHA 5	N/A	N/A	N/A	N/A	N/A	X	X	13

Dated: August 27, 1986.

Approved:

John Lehman,

Secretary of the Navy.

[FR Doc. 86-20466 Filed 9-10-86; 8:45 am]

BILLING CODE 3810-AE-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 110

[CGD3 85-67]

Special Anchorage Area; Thames River, New London, CT

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is establishing an additional special anchorage area in the Thames River, New London, CT, 125 yards north of the Gold Star Highway bridge, adjacent to the western shore. Because of the crowded conditions in the other special anchorages on the Thames River, an additional area is being created to ease the burden of securing a safe anchorage.

EFFECTIVE DATE: October 14, 1986.

FOR FURTHER INFORMATION CONTACT: Ensign Jon Hammond, (203) 442-4471.

SUPPLEMENTARY INFORMATION: On March 3, 1986 the Coast Guard published a notice of proposed rule making in the **Federal Register** for these regulations (51 FR 7288). Interested persons were requested to submit comments and one comment was received.

Drafting Information

The drafters of these regulations are Ensign Jon Hammond, project officer, Captain of the Port, New London, CT, and Ms. M.A. Arisman, project attorney, Third Coast Guard District Legal Office.

Discussion of Comments

The Connecticut Department of Transportation felt that this special anchorage would cause no significant problems but recommended increased police patrols of the area. Local concerns were contacted before the NPRM was published and had no objection to this rule.

This regulation is issued pursuant to 33 U.S.C. 2030, 2035, and 2070 as set out in the authority citation for all of Part 110.

Economic Assessment and Certification

These regulations are considered to be non-major under Executive Order 12291 on Federal Regulation and nonsignificant under Department of Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979). The economic impact has been found to be so minimal that full regulatory evaluation is unnecessary. The special anchorage will not interfere with commercial traffic or commercial fishing or shellfishing in the area. It is not anticipated to impact local merchants since this anchorage will accommodate vessels that previously used the other local special anchorages and will most likely continue to patronize the same merchants.

Since the impact of these regulations is expected to be minimal the Coast Guard certifies that they will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 110

Anchorage grounds.

PART 110—[AMENDED]

Final Regulations

In consideration of the foregoing, Part 110 of Title 33, Code of Federal Regulations, is amended as follows:

1. The authority citation for Part 110 continues to read as follows:

Authority: 33 U.S.C. 471, 2030, 2035 and 2071; 49 CFR 1.46; and 33 CFR 1.05-1(g). Section 110.1a and each section listed in § 110.1a are also issued under 33 U.S.C. 1223 and 1231.

2. In § 110.52 paragraph (d) is added to read as follow:

§ 110.52 Thames River, New London, Conn.

* * * * *

(d) *Area No. 4.* An area in the western part of the Thames River, north of the highway bridge, bounded as follows: Beginning at a point 125 yards north of the highway bridge at latitude 41°21'56" N., longitude 72°05'32" W.; thence easterly to latitude 41°21'56" N., longitude 72°05'27" W.; thence northerly to latitude 41°22'12" N., longitude 72°05'27" W.; thence westerly to latitude 41°22'12" N., longitude 72°05'47" W.; thence southeasterly to latitude 41°22'02" N., longitude 72°05'40" W.; thence downriver along the charted foul grounds to the point of beginning.

* * * * *

Dated: September 3, 1986.

G.D. Passmore,

Rear Admiral (Lower Half), U.S. Coast Guard, District Commander, Third Coast Guard District.

[FR Doc. 86-20485 Filed 9-10-86; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 110

[CGD3 85-56]

Anchorage Grounds, New London Harbor, CT

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is establishing two additional anchorage grounds at the mouth of the Thames River, New London, CT. The two anchorages are to the east of major shipping and ferry tracklines, approximately one mile southeast of New London Ledge Light. Anchorage E is for general use, while Anchorage F is exclusively for naval vessels. These anchorages are deemed necessary because of the need for a deeper anchorage for large vessels using the Thames River. A separate naval anchorage will safeguard both naval vessels and commercial vessels from unnecessary risk of collision.

EFFECTIVE DATE: October 14, 1986.

FOR FURTHER INFORMATION CONTACT: Ensign Jon Hammond, (203) 442-4471.

SUPPLEMENTARY INFORMATION: On March 3, 1986 the Coast Guard published a notice of proposed rule making in the **Federal Register** for these regulations (51 FR 7287). Interested persons were requested to submit comments and one comment was received.

Drafting Information

The drafters of these regulations are Ensign Jon Hammond, project officer, Captain of the Port, New London, CT, and Ms. M.A. Arisman, project attorney, Third Coast Guard District Legal Office.

Discussion of Comments

The Connecticut Department of Transportation is in favor of the establishment of both anchorages, and feels that these deep-draft anchorages can better serve the larger vessels which transit the Thames River. Local concerns were contacted before the NPRM was published and had no objection to this rule.

This regulation is issued pursuant to 33 U.S.C. 471 as set out in the authority citation for all of Part 110.

Economic Assessment and Certification

These regulations are considered to be non-major under Executive Order 12291 on Federal Regulation and nonsignificant under Department of Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979). The economic impact has been

found to be so minimal that a full regulatory evaluation is unnecessary. The anchorage grounds will be used on an infrequent basis and it is not anticipated that they will interfere with commercial traffic or commercial fishing or shellfishing. Since the anchorages are for vessels visiting either private or government facilities on the Thames River, local merchants would not be impacted.

Since the impact of these regulations is expected to be minimal, the Coast Guard certifies that they will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 110

Anchorage grounds.

Final Regulations

PART 110—[AMENDED]

In consideration of the foregoing, Part 110 of Title 33, Code of Federal Regulations, is amended as follows:

1. The authority citation for Part 110 continues to read as follows:

Authority: 33 U.S.C. 471, 2030, 2035 and 2071; 49 CFR 1.46; and 33 CFR 1.05–1(g). Section 110.1a and each section listed in § 110.1a are also issued under 33 U.S.C. 1223 and 1231.

2. In § 110.147 paragraphs (a) (5) and (6) are added to read as follows and paragraph (b)(2) is redesignated as (b)(3) and new (b)(2) is added to read as follows:

§ 110.147 New London Harbor, Conn.

(a) * * *

(5) *Anchorage E.* The waters at the mouth of New London Harbor one mile southeast of New London Ledge Light beginning at latitude 41°17′26″ N., longitude 72°04′21″ W.; thence northeasterly to latitude 41°17′38″ N., longitude 72°03′54″ W.; thence southeasterly to latitude 41°16′50″ N., longitude 72°03′16″ W.; and thence southwesterly to latitude 41°16′38″ N. longitude 72°03′43″ W.; and thence northwesterly to the point of beginning.

(6) *Anchorage F.* The waters off the mouth of New London Harbor two miles southeast of New London Ledge Light beginning at latitude 41°16′00″ N., longitude 72°03′13″ W.; thence westerly to latitude 41°16′00″ N., longitude 72°03′38″ W.; thence northerly to latitude 41°16′35″ N., longitude 72°03′38″ W.; thence easterly to latitude 41°16′35″ N., longitude 72°03′13″ W.; and thence southerly to the point of beginning.

(b) * * *

(2) Anchorage F is reserved for the use of naval vessels and, except in cases of emergency, no other vessel may anchor in Anchorage F without permission from the Captain of the Port, New London, CT.

* * * * *

Dated: September 3, 1986.

G.D. Passmore,

Rear Admiral (Lower Half), U.S. Coast Guard District Commander, Third Coast Guard District.

[FR Doc. 86–20481 Filed 9–10–86; 8:45 am]

BILLING CODE 4910–14–M

33 CFR Part 117

[CGD02 86–33]

Drawbridge Operation Regulations; St. Francis River, AR

AGENCY: Coast Guard, DOT.

ACTION: Final rule—revocation.

SUMMARY: This amendment revokes the regulations for the Arkansas Highway bridge at Cody, mile 29.6, because the bridge has been removed. Notice and public procedure have been omitted from this action due to the removal of the bridge concerned.

EFFECTIVE DATE: This rule becomes effective on October 14, 1986.

FOR FURTHER INFORMATION CONTACT: Roger K. Wiebusch, Bridge Administrator, (314) 425–4607.

Drafting Information

The drafters of this rule are Roger K. Wiebusch, project officer, and Lieutenant R.E. Kilroy, project attorney.

SUPPLEMENTARY INFORMATION: This action has no economic consequences. It merely revokes regulations that are now meaningless because they pertain to a drawbridge that no longer exists. Consequently, this action is considered to be non-major under Executive Order 12291 and nonsignificant under Department of Transportation regulatory policies and procedures (44 FR 11034, February 26, 1979). Since there is no economic impact, a full regulatory evaluation is unnecessary. Because no notice of proposed rulemaking is required under 5 U.S.C. 553, this action is exempt from the Regulatory Flexibility Act (5 U.S.C. 605(b)). However, this action will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 117

Bridges.

In consideration of the foregoing, Part 117 of Title 33, Code of Federal Regulations, is amended as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for Part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05–1(g).

§ 117.137 [Amended]

2. Section 117.137 is amended by removing paragraph (a) in its entirety and by removing the designator "(b)" from the second paragraph, but retaining the body of the second paragraph unchanged.

Dated: August 26, 1986.

J.D. Webb,

Captain, U.S. Coast Guard, Acting Commander, Second Coast Guard District.

[FR Doc. 86–20476 Filed 9–10–86; 8:45 am]

BILLING CODE 4910–14–M

33 CFR Part 117

[CGD02 86–01]

Drawbridge Operation Regulations; Cumberland River, TN

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: At the request of the Commander, U.S. Army Engineer District, Nashville, Tennessee, the Coast Guard is changing the regulations governing the Seaboard System Railroad Bridge, mile 126.5, at Clarksville, TN. This change deletes the requirement in the existing regulation that the bridge owner post notices of the regulation at the Kentucky and Pickwick Locks on the Tennessee River, and at the Barkley and Cheatham Locks on the Cumberland River. The majority of vessels transitting this bridge are commercial towboats. Recreational traffic is infrequent. Since both commercial and recreational navigation have publications available to them that provide information on the proper method for effecting drawbridge openings, this action will relieve the bridge owner of obtaining easements or property agreements to construct and maintain signs summarizing the regulation, and still provide for the reasonable needs of navigation.

EFFECTIVE DATE: These regulations become effective on October 14, 1986.

FOR FURTHER INFORMATION CONTACT: Roger K. Wiebusch, Bridge Administrator, telephone number 314–425–4607.

SUPPLEMENTARY INFORMATION: On March 28, 1986, the Coast Guard published proposed rules (51 FR 10638) concerning this amendment. The

Commander, Second Coast Guard District, also published the proposal as a Public Notice dated April 4, 1986. In each notice interested persons were given until May 12, 1986, to submit comments.

Drafting Information

The drafters of these regulations are Roger K. Wiebusch, project officer, and Lieutenant R. E. Kilroy, project attorney.

Discussion of Comments

No comments were received as a result of publication in the **Federal Register**, or in response to the Public Notice.

Economic Assessment and Certification

These regulations are considered to be non-major under Executive Order 12291 on Federal Regulation and nonsignificant under Department of Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979).

The economic impact of this proposal is expected to be so minimal that a full regulatory evaluation is unnecessary. This change will not affect the operation of the bridge for rail or river traffic. The majority of vessels transitting this bridge are commercial towboats. Recreational traffic is infrequent. Both commercial and recreational navigation have readily available publications that provide information on the proper method for effecting drawbridge openings. Signs, which summarize the regulation and state the name, address and telephone number of the person to be notified when advance notice is required to open the draw, will be posted upstream and downstream of the bridge. Since the economic impact of these regulations is expected to be minimal, the Coast Guard certifies that they will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

In consideration of the foregoing, Part 117 of Title 33, Code of Federal Regulations, is amended as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for Part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05–01(g).

2. Section 117.943 is revised to read as follows:

§ 117.943 Cumberland River.

The draw of the Seaboard System Railroad bridge over the Cumberland River, mile 126.5, at Clarksville, shall open on signal when the vertical clearance under the navigational span is 47 feet or less. The draw shall open on signal if at least two hours notice is given when the vertical clearance is greater than 47 feet. The draw need not be opened for a vessel that arrives at the bridge more than 30 minutes after the time specified in the notice, unless a second two hours notice has been given.

Dated: August 26, 1986.

J.D. Webb,

Captain, U.S. Coast Guard Acting Commander, Second Coast Guard District.

[FR Doc. 86–20480 Filed 9–10–86; 8:45 am]

BILLING CODE 4910–14–M

---

33 CFR Part 117

[CGD02 86–02]

Drawbridge Operation Regulations; Tennessee River, TN

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: At the request of the Commander, U.S. Army Engineer District, Nashville, Tennessee, the Coast Guard is changing the regulations governing the Chief John Ross Bridge, mile 464.1, at Chattanooga, TN, and the Southern Railway Bridge, mile 470.7, at Hixon, TN. This change deletes the requirement in the existing regulation that the bridge owner post notices of the regulation at the Nickajack and Watts Bar Locks on the Tennessee River. The majority of vessels transitting these bridges are commercial towboats. Recreational traffic is infrequent. Since both commercial and recreational navigation have publications available to them that provide information on the proper method for effecting drawbridge openings, this action will relieve the bridge owner of obtaining easements or property agreements to construct and maintain signs summarizing the regulation, and still provide for the reasonable needs of navigation.

EFFECTIVE DATE: These regulations become effective on October 14, 1986.

FOR FURTHER INFORMATION CONTACT: Roger K. Wiebusch, Bridge Administrator, telephone number 314–425–4607.

SUPPLEMENTARY INFORMATION: On March 28, 1986, the Coast Guard published proposed rules (51 FR 10639) concerning this amendment. The Commander, Second Coast Guard District, also published the proposal as a Public Notice dated April 4, 1986. In each notice interested persons were given until May 12, 1986, to submit comments.

Drafting Information

The drafters of these regulations are Roger K. Wiebusch, project officer, and Lieutenant R. E. Kilroy, project attorney.

Discussion of Comments

No comments were received as a result of publication in the **Federal Register**, or in respone to the Public Notice.

Economic Assessment and Certification

These regulations are considered to be non-major under Executive Order 12291 on Federal Regulation and nonsignificant under Department of Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979).

The economic impact of this proposal is expected to be so minimal that a full regulatory evaluation is unnecessary. This change will not affect the operation of the bridges for vehicular, rail, or river traffic. The majority of vessels transiting these bridges are commercial towboats. Recreational traffic is infrequent. Both commercial and recreational navigation have readily available publications that provide information on the proper method for effecting drawbridge openings. Signs, which summarize the regulation and state the name, address and telephone number of the person to be notified when advance notice is required to open the draw, will be posted upstream and downstream of the bridge. Since the economic impact of these regulations is expected to be minimal, the Coast Guard certifies that they will not have a significant economic impact on a substantial number of small entities.

List of Subject in 33 CFR Part 117

Bridges.

Regulations

In consideration of the foregoing, Part 117 of Title 33, Code of Federal Regulations, is amended as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for Part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05–01(g).

2. Section 117.949 is revised to read as follows:

§ 117.949 Cumberland River.

The draws of the Chief John Ross Bridge over the Tennessee River, mile 464.1, at Chattanooga, and the Southern Railway Bridge over the Tennessee River, mile 470.7, at Hixon, Tennessee, shall open on signal when the vertical clearance beneath the draw is 50 feet or less. When the vertical clearance beneath the draw is more than 50 feet, at least eight hours notice is required. When the operator of a vessel returning through the draw within four hours informs the drawtender of the probable time of return, the drawtender shall return one half hour before the time specified and promptly open the draw on signal for the vessel without further notice. If the vessel giving notice fails to arrive within one hour after the arrival time specified, whether upbound or downbound, a second eight hours notice is required. Clearance gages of a type acceptable to the Coast Guard shall be installed on both sides of each bridge.

Dated: August 26, 1986.

J.D. Webb,

Captain, U.S. Coast Guard Acting Commander, Second Coast Guard District.

[FR Doc. 86-20479 Filed 9-10-86; 8:45 am]

BILLING CODE 4910-14-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 85-383; RM-5016]

Radio Broadcasting Services; Holmes Beach, FL

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document allots Channel 254A to Holmes Beach, Florida, as the community's first FM service at the request of Robert V. Barnes. The spacing requirements for Channel 254A are met based on a construction permit issued to Station WKTK (FM), Crystal River, Florida, and conditioned on Station WKTK receiving a license for the new site. The window period for filing applications on Channel 254A will be announced at a future date following the licensing of Station WKTK. With this action, this proceeding is terminated.

EFFECTIVE DATE: October 10, 1986.

FOR FURTHER INFORMATION CONTACT: Montrose H. Tyree (202) 634-6530, Mass Media Bureau.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, MM Docket No. 85-383, adopted August 21, 1986, and released September 3, 1986. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, (202) 857-3800, 2100 M Street NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

§ 73.202(b) [Amended]

2. In § 73.202(b), the table of allotments is amended by adding Holmes Beach, Channel 254A, under Florida.

Federal Communications Commission.

Charles Schott,

Chief, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 86-20470 Filed 9-10-86; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 1

[OST Docket No. 1; Amdt. 1-212]

Organization and Delegation of Powers and Duties

AGENCY: Office of the Secretary, DOT.

ACTION: Final rule.

SUMMARY: This amendment delegates to the Deputy General Counsel the authority to issue cease and desist orders to persons found in violation of the Federal Aviation Act, as amended, and related Departmental regulations.

DATE: The effective date of this amendment is September 11, 1986.

FOR FURTHER INFORMATION CONTACT: Gwyneth Radloff, Office of the General Counsel, Department of Transportation, Washington, DC, (202) 366-9305.

SUPPLEMENTARY INFORMATION: Since this amendment relates to Departmental management, procedures, and practice, notice and comment on it are unnecessary and it may be made effective in fewer than thirty days after publication in the **Federal Register.**

The Secretary has determined that the authority vested in her by the Federal Aviation Act of 1958, 49 U.S.C. 1301 *et seq.*, to issue appropriate orders, after notice and hearing, to compel persons to comply with Department regulations should be delegated to the Deputy General Counsel. This authority was included in the general delegation to the Assistant Secretary for Policy and International Affairs of the functions transferred to the Department from the Civil Aeronautics Board. The Deputy General Counsel currently has delegated authority to compromise civil penalties, but cannot issue concurrent cease and desist orders. This action will consolidate in the Deputy General Counsel the delegated authority to take action against violators of Departmental regulations.

List of Subjects in 49 CFR Part 1

Authority delegations (Government agencies), Organization and functions (Government agencies).

Accordingly, Part 1 of Title 49, Code of Federal Regulations, is amended to read as follows:

PART 1—[AMENDED]

1. The authority of Part 1 continues to read as follows:

Authority: 49 U.S.C. 322.

2. Section 1.57a is revised to read as follows:

§ 1.57a Delegations to the Deputy General Counsel.

The Deputy General Counsel is delegated authority to appear on behalf of the Department on the record in hearing cases, and to initiate and carry out enforcement actions on behalf of the Department, under the authority transferred to the Department from the Civil Aeronautics Board as described in §§ 1.56(i) and 1.61(d) of this title. This includes the authority to compromise penalties under 49 U.S.C. 1471(a)(1); to issue appropriate orders, including cease and desist orders, under 49 U.S.C. 1482(c); to require the production of information and enter carrier property and inspect records under 49 U.S.C. 1377 (a) and (e), and to inquire into the management of the business of a carrier under 49 U.S.C. 1385, as appropriate to these responsibilities. In carrying out these functions, the Deputy General Counsel is not subject to the supervision of the General Counsel.

Issued in Washington, DC, on September 5, 1986.

Jim Burnley,

Acting Secretary.

[FR Doc. 86-20408 Filed 9-10-86; 8:45 am]

BILLING CODE 4910-62-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 32

Refuge-Specific Hunting Regulations

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: The Fish and Wildlife Service (Service) is amending certain regulations in 50 CFR Part 32 that pertain to migratory game bird, upland game, and big game hunting on individual national wildlife refuges (NWR). Refuge hunting programs are reviewed annually to determine whether the regulations governing individual refuge hunts should be modified. Changing environmental conditions, State and Federal regulations, and other factors affecting wildlife populations and habitats may warrant such amendments. The modifications will ensure the continued compatibility of hunting with the purposes for which the individual refuges involved were established and, to the extent practical, make refuge hunting programs consistent with State regulations.

EFFECTIVE DATE: September 11, 1986.

FOR FURTHER INFORMATION CONTACT: Nancy A. Marx, Division of Refuges, Fish and Wildlife Service, 18th and C Streets, NW., Room 2843, Washington, DC 20240; Telephone (202) 343-3922.

SUPPLEMENTARY INFORMATION: 50 CFR Part 32 contains the provisions that govern hunting on NWRs. Hunting is regulated on refuges to: (1) Ensure compatibility with refuge purposes, (2) properly manage the wildlife resources, (3) protect other refuge values, and (4) ensure refuge user safety. On many refuges, the Service policy of adopting State hunting regulations is an adequate way of meeting these objectives. On other refuges, it is necessary to supplement State regulations with refuge-specific hunting regulations which will ensure that the Service meets its management responsibilities as outlined under the section entitled "Conformance with Statutory and Regulatory Authorities." Refuge-specific hunting regulations are issued only after the final publication of the opening of a refuge to migratory game bird, upland game, or big game hunting. These regulations may list the wildlife species that may be hunted, the seasons, bag limits, methods of hunting, descriptions of open areas, and other provisions. Previously issued refuge-specific regulations for migratory game bird, upland game, and big game hunting are contained in 50 CFR 32.12, 32.22 and 32.32 respectively.

The Service reviews refuge hunting programs annually to determine if modifications in the regulations governing individual refuge hunts are necessary. Changing environmental conditions, State and Federal regulations, and other factors affecting wildlife populations and habitats may warrant that refuge-specific hunting regulations be modified, relaxed, or made more stringent. This ensures the continued compatibility of hunting with the purposes for which individual refuges were established and, to the extent practical, makes refuge hunting programs consistent with State regulations. This rule amends and supplements certain refuge-specific regulations in 50 CFR Part 32, §§ 32.12, 32.22, and 32.32, that pertain to migratory game bird, upland game, and big game hunting, respectively. In this rule, swans have been added to the take at Mattamuskeet and Swanquarter NWRs and desert bighorn sheep to Imperial NWR. A non-toxic shot regulation has also been added to several refuges. This final rule was published as a proposal on July 2, 1986, at 51 FR 24179.

The policy of the Department of the Interior is, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, written comments received during the 30-day comment period for the proposed rule are addressed in the following section.

Responses to Comments Received

Written comments were received from one private organization and several Service regional offices in response to the proposed rulemaking. Corrections, deletions and additions have been made in response to comments from the Service's regional offices. Substantive issues raised by the one organization were the same as raised by them on the proposed rule opening seventeen refuges to hunting and/or fishing. In the interest of reducing the paperwork burden of the government, it is suggested that 51 FR 30655 (final rule opening seventeen refuges to hunting and/or fishing) be referenced for Service responses to those issues. Several new issues were presented on this proposed rule on refuge-specific regulations that are addressed below:

Issue: The use of dogs for hunting on Alligator River NWR will adversely impact the reintroduction of red wolves on the refuge.

Service Response: The habits of the red wolf, the topography of Alligator River NWR, an analysis of the hunters who have traditionally hunted the refuge, the use of dogs for hunting and many other factors have been thoroughly studied before reintroduction of the red wolf to the refuge was decided upon. Most of the refuge is inaccessible and what hunting is done usually takes place on the periphery of the refuge where there is expected to be minimal if any wolf activity. The appropriate documentation, evaluations and assessments have been completed and the finding is that hunting with dogs on the refuge "will have no impact" on the continued existence of the red wolf, nor would it adversely affect the success of the reintroduction effort.

Issue: Lack of data supporting the addition of swans to the huntable species at Mattamuskeet and Swanquarter NWRs.

Response: The appropriate documentation has been completed for amending the hunting programs on these refuges and the finding is that the addition of swans to the hunting programs would be compatible with the refuges purposes and objectives.

Conformance With Statutory and Regulatory Authorities

The National Wildlife Refuge System Administration Act of 1966, as amended (16 U.S.C. 668dd), and the Refuge Recreation Act of 1962 (16 U.S.C. 460k) govern the administration and public use of NWRs. Specifically, section 4(d)(1)(A) of the Refuge Administration Act authorizes the Secretary of the Interior to permit the use of any area within the Refuge System for any purpose, including but not limited to hunting, fishing, and public recreation, accommodations, and access, when he determines that such uses are compatible with the major purposes for which the areas were established.

The Refuge Recreation Act authorizes the Secretary to administer areas within the Refuge System for public recreation as an appropriate incidental or secondary use only to the extent that it is practicable and not inconsistent with the primary purpose for which the areas were established. The Refuge Recreation Act also authorizes the Secretary to issue regulations to carry out the purposes of the Act.

Hunting plans are developed for each hunting program on a refuge prior to opening it to hunting. In many cases, refuge-specific hunting regulations are included in the hunting plan to ensure the compatibility of the hunting programs with the purposes for which the refuge was established. Initial compliance with the Refuge Administration and Refuge Recreation

Acts is ensured when the hunting plans are developed, and the determinations required by these acts are made prior to the addition of refuges to the lists of areas open to hunting in 50 CFR. Continued compliance is ensured by annual review of hunting programs and regulations.

Economic Effect

Executive Order (E.O.) 12291, "Federal Regulation," of February 17, 1981, requires the preparation of regulatory impact analyses for major rules. A major rule is one likely to result in an annual effect on the economy of $100 million or more; a major increase in costs or prices for consumers, individual industries, government agencies or geographic regions; or significant adverse effects on the ability of U.S.-based enterprises to compete with foreign-based enterprises. The Regulatory Flexibility Act (5 U.S.C. 601 et seq.) further requires the preparation of flexibility analyses for rules that will have a significant effect on a substantial number of small entities, which include small businesses, organizations or governmental jurisdictions.

The proposed amendments to the codified refuge-specific hunting regulations would make relatively minor adjustments to existing hunting programs. The regulations are not expected to have any gross economic effect and will not cause major increases in costs or prices for consumers, individual industries, Federal, State, or local governments, agencies, or geographic regions. The benefits accruing to the public are expected to exceed by a large margin the costs of administering this rule. Accordingly, the Department of the Interior has determined that this rule is not a "major rule" within the meaning of E.O. 12291 and would not have a significant economic effect on a substantial number of small entities within the meaning of the Regulatory Flexibility Act.

Paperwork Reduction Act

The Service has received approval from the Office of Management and Budget (OMB) for the information collection requirements of these regulations pursuant to the Paperwork Reduction Act (44 U.S.C. 3501 et seq.). These requirements are presently approved by OMB as cited below:

Type of information collection	OMB Approval No.
Economic and Public Use Permits	1018-0014

These regulations impose no new reporting or recordkeeping requirements that must be cleared by OMB.

It is also the intent of this rulemaking to update obsolete OMB approval numbers cited in § 32.41.

Environmental Considerations

The "Final Environmental Statement for the Operation of the National Wildlife Refuge System" [FES 76–59] was filed with the Council on Environmental Quality on November 12, 1976; a notice of availability was published in the **Federal Register** on November 19, 1976 (41 FR 51131). Compliance with the National Environmental Policy Act (NEPA) (42 U.S.C. 4332(C)) and the Endangered Species Act (16 U.S.C. 1531–1543) is ensured when hunting plans are developed, and the determinations required by these acts are made prior to the addition of refuges to the lists of areas open to hunting in 50 CFR. Refuge-specific hunting regulations are subject to a categorical exclusion from the NEPA process if they do not significantly alter the existing use of a particular national wildlife refuge. The changes proposed in this rulemaking would not substantially alter the existing uses of the refuges involved.

In view of the rapidly approaching hunting seasons, there is an immediate need to place these regulations into effect. The absence of refuge-specific hunting regulations during the early stages of the hunting seasons would be contrary to the public interest, hunter safety and wildlife conservation. Thus, the Department concludes that good cause exists within the meaning of 5 U.S.C 553(d)(3) of the Administrative Procedure Act to make these regulations effective upon publication in the **Federal Register.**

Information regarding hunting permits and the conditions that apply to individual refuge hunts and maps of the hunt areas are available at refuge headquarters. This information may also be obtained from the regional offices of the U.S. Fish and Wildlife Service at the addresses listed below:

Region 1

California, Hawaii, Idaho, Nevada, Oregon and Washington.

Assistant Regional Director—Refuges and Wildlife, U.S. Fish and Wildlife Service, Lloyd 500 Building, Suite 1692, 500 NE Multnomah Street, Portland, Oregon 97232; Telephone (503) 231–6214.

Region 2

Arizona, New Mexico, Oklahoma and Texas.

Assistant Regional Director—Refuges and Wildlife, U.S. Fish and Wildlife Service, Box 1306, Albuquerque, New Mexico 87103; Telephone (505) 766–1829.

Region 3

Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio and Wisconsin.

Assistant Regional Director—Refuges and Wildlife, U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111; Telephone (612) 725–3507.

Region 4

Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North and South Carolina, Tennessee, Puerto Rico and the Virgin Islands.

Assistant Regional Director—Refuges and Wildlife, U.S. Fish and Wildlife Service, Richard B. Russell Federal Building, 75 Spring Street, SW, Atlanta, Georgia 30303; Telephone (404) 221–3538.

Region 5

Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia and West Virginia.

Assistant Regional Director—Refuges and Wildlife, U.S. Fish and Wildlife Service, One Gateway Center, Suite 700, Newton Corner, Massachusetts 02158; Telephone (617) 965–9222.

Region 6

Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah and Wyoming.

Assistant Regional Director—Refuges and Wildlife, U.S. Fish and Wildlife Service, Box 25486, Denver Federal Center, Denver, Colorado 80225; Telephone (303) 236–8145.

Region 7

Alaska (Hunting on Alaska refuges is in accordance with State hunting regulations. There are no refuge-specific hunting regulations for these refuges.).

Assistant Regional Director—Refuges and Wildlife, U.S. Fish and Wildlife Service, 1011 E. Tudor Rd., Anchorage, Alaska 99503; Telephone (907) 786–3538.

Nancy A. Marx, Division of Refuges, U.S. Fish and Wildlife Service, Washington, DC 20240, is the primary

author of this proposed rulemaking document.

List of Subjects in 50 CFR Part 32

Hunting, National Wildlife Refuge System, Wildlife, Wildlife refuges.

PART 32—[AMENDED]

Accordingly, Part 32 of Chapter I of Title 50 of the Code of Federal Regulations is amended as set forth below:

1. The authority citation for Part 32 continues to read as follows:

Authority: 5 U.S.C. 301, 16 U.S.C. 460k, 664, 668dd, 690d, 715i, 718d, 725, 44 U.S.C. 3501 et seq.

2. Section 32.12 is amended by revising paragraphs (b) introductory text, (b)(2) and (4); adding paragraph (b)(7); redesignating paragraph (c) as (c)(1); revising newly redesignated (c)(1); and adding paragraph (c)(2); redesignating paragraph (d)(1)(v) as (d)(1)(vi); and adding new paragraph (d)(1)(v); adding paragraphs (e)(1)(viii), (e)(3)(viii) and (e)(4)(vii), revising paragraphs (f)(1), (2) introductory text, (3) introductory text and (7) introductory text and (ii); (4)(v), (5)(iv), (6)(vi), (8)(iv), (9)(v), and (12)(iv); redesignating paragraphs (f)(13) through (14) as (f)(14) through (15); adding paragraphs (f)(13) and (15)(vii); revising paragraph (f)(14); revising paragraphs (i)(2)(ii); adding paragraphs (k)(3)(iv) and (v), and (5)(iv); revising paragraph (k)(6) introductory text; revising paragraphs (1)(2)(i), (ii) and (iv); redesignating paragraph (m) as (m)(1), (i), (ii), (iii) and (iv); and revising the paragraph heading of (m) and the introductory text of (m)(1); and adding paragraph (m)(2), adding paragraph (n)(5), redesignating paragraphs (p)(1) and (2) as (p)(2) and (3); and revising newly redesignated paragraphs (p)(2) and (3); and adding paragraph (p)(1); adding paragraph (q)(1)(iv); revising paragraphs (q)(2) (i), (ii), and (iii); revising paragraph (q)(3)(iv); adding paragraph (q)(3)(v); revising paragraphs (v)(2)(iii), (v)(3)(iii), (v)(4)(iii) and (v)(6)(iii); adding paragraphs (x)(1)(iii) and (11); revising paragraphs (x)(10)(y), and (z)(1)(i) and (2); redesignating paragraphs (dd)(1) through (4) as (dd) (2) through (5); and revising newly redesignated paragraphs (dd)(3) and (5); and adding paragraph (dd)(1); adding paragraph (gg)(3)(vii); revising paragraph (hh)(1)(iii); redesignating paragraphs (hh)(2) through (12) as (hh)(3) through (13); and revising newly redesignated paragraphs (hh)(6), (7) and (12); adding paragraphs (hh)(2), (5)(iii), (8)(iv) and (11)(vi); redesignating paragraphs (11)(1) through (3) as (11)(2) through (4); and revising newly redesignated paragraph (11)(2)(ii); adding paragraphs (11)(1), (qq)(1)(iii), (4)(iv), (7)(v) and (8)(v); and revising paragraphs (qq)(2) and (rr)(3) as follows:

§ 32.12 Refuge-specific regulations; migratory game birds.

* * * * *

(b) *Alabama and Georgia-Eufaula National Wildlife Refuge.* Hunting of geese, ducks, coots, mourning doves, snipe and woodcock is permitted on designated areas of the refuge subject to the following conditions:

* * * * *

(2) Hunting of Canada geese, ducks and coots is permitted only on Mondays, Wednesdays and Saturdays until noon.

* * * * *

(4) Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

* * * * *

(7) Canada geese may be harvested only until the refuge harvest quota is reached.

* * * * *

(c) *Arizona*—(1) *Buenos Aires National Wildlife Refuge.* Hunting of geese, ducks, coots and mourning and white-winged doves is permitted on designated areas of the refuge.

(2) *San Bernardino National Wildlife Refuge.* Hunting of mourning and white-winged doves is permitted on designated areas of the refuge.

* * * * *

(d) *Arizona and California*—(1) *Cibola National Wildlife Refuge.* * * *

(v) Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

* * * * *

(e) *Arkansas*—(1) *Felsenthal National Wildlife Refuge.* * * *

(viii) Hunting of woodcock is permitted beginning with the State season through January 31.

* * * * *

(3) *Overflow National Wildlife Refuge.* * * *

(viii) Hunting of woodcock is permitted beginning with the State season through January 31.

(4) *White River National Wildlife Refuge.* * * *

(vii) Duck and coot hunters shall possess and use, while in the field, only non-toxic shot.

* * * * *

(f) *California*—(1) *Clear Lake National Wildlife Refuge.* Hunting of geese, ducks, coots, gallinules and common snipe is permitted on designated areas of the refuge subject to the following conditions:

(i) Air-thrust and inboard water-thrust boats are not permitted.

(ii) Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

(2) *Colusa National Wildlife Refuge.* Hunting of geese, ducks, coots, gallinules and common snipe is permitted on designated areas of the refuge subject to the following condition: Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

(3) *Delevan National Wildlife Refuge.* Hunting of geese, ducks, coots, gallinules, and common snipe is permitted on designated areas of the refuge subject to the following condition: Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

(4) *Kern National Wildlife Refuge.* * * *

(v) Only nonmotorized boats are permitted.

(5) *Kesterson National Wildlife Refuge.* * * *

(iv) Hunters may not possess more than 25 shells after leaving their assigned parking lot.

* * * * *

(6) *Lower Klamath National Wildlife Refuge.* * * *

(vi) Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

(7) *Merced National Wildlife Refuge.* Hunting of geese, ducks, coots and gallinules is permitted on designated areas of the refuge subject to the following conditions:

* * * * *

(ii) Hunters may not use or possess more than 25 shells per day.

* * * * *

(8) *Modoc National Wildlife Refuge.* * * *

(iv) Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

(9) *Sacramento National Wildlife Refuge.* * * *

(v) Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

* * * * *

(12) *San Luis National Wildlife Refuge.* * * *

(iv) Hunters may not possess more than 25 shells after leaving their assigned parking lot.

(13) *San Pablo Bay National Wildlife Refuge.* Hunting of ducks, geese and coots is permitted on designated areas of the refuge subject to the following conditions:

(i) All personal property, except floating blinds must be removed from the refuge at the end of each hunting day. Floating blinds may be left overnight, but must be removed from the refuge at the end of the waterfowl hunting season.

(ii) The construction and use of permanent blinds is prohibited. Hunters may use portable blinds and temporary or floating blinds constructed primarily of biodegradable materials.

(iii) Blinds may be used by any hunter on a first-come basis each day.

(iv) Digging into levees is prohibited.

(14) *Sutter National Wildlife Refuge.* Hunting of geese, ducks, coots, gallinules and common snipe is permitted on designated areas of the refuge subject to the following condition: Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

(15) *Tule Lake National Wildlife Refuge.* * * *

(vii) Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

* * * * *

(i) *Florida*—* * *

(2) *Lower Suwannee National Wildlife Refuge.* * * *

(ii) Hunting of ducks and coots is permitted on the Levy County portion of the refuge.

* * * * *

(k) *Idaho*—* * *

(3) *Deer Flat National Wildlife Refuge.* * * *

(iv) Nonmotorized boats are restricted to the area bounded by the water's edge and extending to a point 200 yards lakeward in hunting area 1 on the Lake Lowell sector.

(v) Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

* * * * *

(5) *Kootenai National Wildlife Refuge.* * * *

(iv) Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

(6) *Minidoka National Wildlife Refuge.* Hunting of geese, ducks and coots is permitted on designated areas of the refuge subject to the following condition: Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

(1) *Illinois*—* * *

(2) *Crab Orchard National Wildlife Refuge.* * * *

(i) Waterfowl hunting is permitted on the controlled areas of Grassy Point, Carterville and Greenbriar land areas, plus Orchard, Turkey, Sawmill and Grassy Islands, from sunrise to 12:00 noon each day during the goose season. Goose hunting on these areas, including lake shorelines, is permitted only from existing refuge blinds. Only selected hunters are allowed on the islands during the goose hunting season.

(ii) Goose hunters must use or possess only 15 shells per hunter.

* * * * *

(iv) Only portable or temporary blinds may be used. Blinds may not be located beyond the shoreline of refuge waters.

* * * * *

(m) *Iowa*—(1) *Desoto National Wildlife Refuge.* Hunting of geese, ducks and coots is permitted on designated areas of the refuge subject to the following conditions:

* * * * *

(2) *Union Slough National Wildlife Refuge.* Hunting of migratory game birds is permitted on designated areas of the refuge subject to the following condition: Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

(n) *Iowa, Illinois and Missouri—Mark Twain National Wildlife Refuge.* * * *

(5) Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

* * * * *

(p) *Kansas*—(1) *Flint Hills National Wildlife Refuge.* Hunting of geese, ducks, coots, mourning doves and snipe is permitted on designated areas of the refuge subject to the following condition: Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

(2) *Kirwin National Wildlife Refuge.* Hunting of geese, ducks, coots, mourning doves and snipe is permitted on designated areas of the refuge subject to the following condition: Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

(3) *Quivira National Wildlife Refuge.* Hunting of geese, ducks, coots, rails, mourning doves, common snipe and woodcock is permitted on designated areas of the refuge subject to the following condition: Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

* * * * *

(q) *Louisiana*—(1) *Bogue Chitto National Wildlife Refuge.* * * *

(iv) Retrievers are permitted.

(2) *D'Arbonne National Wildlife Refuge.* * * *

(i) Hunting of ducks and coots is permitted until noon each day.

(ii) Boats, decoys and blinds must be removed from the refuge following each day's hunt.

(iii) Hunting is not permitted during the special teal season.

(3) *Delta National Wildlife Refuge.* * * *

(iv) When in season, snipe, rails and gallinules may be taken during the waterfowl hunt.

(v) Retrievers are permitted.

* * * * *

(v) *Mississippi*—* * *

(2) *Hillside National Wildlife Refuge.* * * *

(iii) Duck and coot hunters shall possess and use, while in the field, only non-toxic shot.

* * * * *

(3) *Mathews Brake National Wildlife Refuge.* * * *

(iii) Duck and coot hunters shall possess and use, while in the field, only non-toxic shot.

* * * * *

(4) *Morgan Brake National Wildlife Refuge.* * * *

(iii) Duck and coot hunters shall possess and use, while in the field, only non-toxic shot.

* * * * *

(6) *Panther Swamp National Wildlife Refuge.* * * *

(iii) Duck and coot hunters shall possess and use, while in the field, only non-toxic shot.

* * * * *

(x) *Montana*—(1) *Benton Lake National Wildlife Refuge.* * * *

(iii) Hunters shall possess and use, while in field, only non-toxic shot.

* * * * *

(10) *Red Rock Lakes National Wildlife Refuge.* Hunting of geese, ducks and coots is permitted on designated areas of the refuge subject to the following condition: Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

(11) *Swan River National Wildlife Refuge.* Hunting of geese, ducks and coots is permitted on designated areas of the refuge subject to the following condition: Waterfowl and coot shall possess and use, while in the field, only non-toxic shot.

(y) *Nebraska—Valentine National Wildlife Refuge.* Hunting of mourning doves, geese, ducks and coots is permitted on designated areas of the refuge subject to the following condition: Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

(z) *Nevada*—(1) *Pahranagat National Wildlife Refuge.* * * *

(i) Permits are required for dove hunting from opening day through the following Monday.

* * * * *

(2) *Ruby Lake National Wildlife Refuge.* Hunting of geese, ducks, coots, gallinules and snipe is permitted on designated areas of the refuge subject to the following condition: Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

* * * * *

(dd) *North Carolina*—(1) *Alligator River National Wildlife Refuge.* Hunting of mourning doves, geese, swans, ducks, coots, snipe and woodcock is permitted on designated areas of the refuge subject to the following condition: The use of hunting dogs is permitted on designated areas of the refuge.

* * * * *

(3) *Mattamuskeet National Wildlife Refuge.* Hunting of swans, ducks and coots is permitted on designated areas of the refuge subject to the following conditions:

* * * * *

(5) *Swanquarter National Wildlife Refuge.* Hunting of swans, ducks, geese and coots is permitted on designated areas of the refuge subject to the following conditions:

* * * * *

(gg) *Oklahoma*—* * *

(3) Tishomingo National Wildlife Refuge. * * *

(vii) Waterfowl hunters shall possess and use, while in the field, only non-toxic shot.

* * * * *

(hh) *Oregon*—(1) *Ankeny National Wildlife Refuge.* * * *

(iii) Waterfowl, coot and snipe hunting is permitted only on Wednesdays, Saturdays and Sundays.

* * * * *

(2) *Bandon Marsh National Wildlife Refuge.* Hunting of geese, ducks, coots, snipe, doves and pigeons is permitted on designated areas of the refuge.

* * * * *

(5) *Deer Flat National Wildlife Refuge.* * * *

(iii) Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

(6) *Klamath Forest National Wildlife Refuge.* Hunting of geese, ducks, coots and common snipe is permitted on designated areas of the refuge subject to the following conditions:

(i) The use of air-thrust and inboard water-thrust boats is not permitted.

(ii) Waterfowl and coot hunters shall possess and use, while in field, only non-toxic shot.

(7) *Lewis and Clark National Wildlife Refuge.* Hunting of geese, ducks, coots and snipe is permitted on designated areas of the refuge subject to the following condition: Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

(8) *Lower Klamath National Wildlife Refuge.* * * *

(iv) Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

* * * * *

(11) *Umatilla National Wildlife Refuge.* * * *

(vi) Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

(12) *Upper Klamath National Wildlife Refuge.* Hunting of geese, ducks, coots and common snipe is permitted on designated areas of the refuge subject to the following conditions:

(i) The use of air-thrust and inboard water-thrust boats is not permitted.

(ii) Waterfowl and coot hunter shall possess and use, while in the field, only non-toxic shot.

* * * * *

(11) *Tennessee*—(1) *Chickasaw National Wildlife Refuge.* Hunting of ducks, geese and coots is permitted on designated areas of the refuge subject to the following conditions:

(i) Hunting of waterfowl is permitted until noon each day.

(ii) Only portable blinds and blinds made of native vegetation are permitted.

(iii) Decoys and blinds must be removed after each day's hunt.

(2) *Cross Creeks National Wildlife Refuge.* * * *

(ii) Hunting is permitted on Saturdays and Sundays beginning with the State December duck season through the last day of the State goose season.

* * * * *

(qq) *Washington*—(1) *Columbia National Wildlife Refuge.* * * *

(iii) Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

(2) *Columbia White-Tailed Deer National Wildlife Refuge.* Hunting of geese, ducks, coots and common snipe is permitted on designated areas of the refuge subject to the following condition: Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

* * * * *

(4) *McNary National Wildlife Refuge.* * * *

(iv) Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

* * * * *

(7) *Umatilla National Wildlife Refuge.* * * *

(v) Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

(8) *Willapa National Wildlife Refuge.* * * *

(v) Waterfowl and coot hunters shall possess and use, while in the field, only non-toxic shot.

(rr) *Wisconsin-* * * *

(3) *Trempealeau National Wildlife Refuge.* Hunting of geese, ducks and coots is permitted on designated areas of the refuge subject to the following conditions:

* * * * *

3. Section 32.22 is amended by revising paragraphs (a)(2)(ii) and (4)(iii); adding paragraphs (a)(4)(v), (b)(3) and (c)(1)(iv) and (v); revising paragraph (c)(2)(i); adding paragraph (c)(2)(iv); revising paragraphs (c)(3), (d)(2)(iii), (d)(3) introductory text and (d)(4)(iii); adding paragraphs (d)(6)(v) and (vi); redesignating paragraphs (e)(8) and (9) as (e)(9) and (10); adding paragraph (e)(8); revising paragraphs (h)(3)(ii), (i)(2) introductory text, (l)(1) and (2), and (q)(1)(ii) and (2); adding paragraphs (q)(1)(iii), (3)(iii) and (6)(iii); revising paragraphs (t), (v)(1)(ii) and (z)(1); adding paragraph (v)(1)(iii); redesignating paragraphs (cc)(1) and (2) as (cc)(2) and (3); and revising newly redesignated (cc)(3)(i) and (iv); adding paragraph (cc)(1); revising paragraphs (hh)(4) introductory text; redesignating paragraphs (jj)(1) through (4) as (jj)(2) through (5); adding paragraph (jj)(1); and revising newly redesignated (jj)(2) and (5) as follows:

§ 32.22 Refuge-specific regulations; upland game.

(a) *Alabama*—* * *

(2) *Choctaw National Wildlife Refuge.* * * *

(ii) Hunting of squirrel and rabbit is permitted during the State season only through December 15.

* * * * *

(4) *Wheeler National Wildlife Refuge.* * * *

(iii) Hunting of raccoon and opossum is permitted during the month of February.

* * * * *

(v) Dogs are permitted for raccoon, opossum and rabbit hunts only.

(b) *Arizona*—* * *

(3) *San Bernardino National Wildlife Refuge.* Hunting of quail and cottontail rabbits is permitted on designated areas of the refuge subject to the following conditions:

(i) Only shotguns are permitted.

(ii) Cottontail rabbit season shall open on September 1 and close on the last day of the State quail season.

(c) *Arizona and California*—(1) *Cibola National Wildlife Refuge.* * * *

(iv) Hunting is permitted from ½ hour before sunrise to sunset only.

(v) Only shotguns and bows and arrows are permitted.

(2) *Havasu National Wildlife Refuge.* * * *

(i) Hunting of quail is not permitted on Pintail Slough.

* * * * *

(iv) Hunting is permitted from ½ hour before sunrise to sunset only.

(3) *Imperial National Wildlife Refuge.* Hunting of quail, cottontail rabbit, coyote, fox and bobcat is permitted on designated areas of the refuge subject to the following conditions:

(i) Only shotguns and bows and arrows are permitted.

(ii) Hunting of cottontail rabbit is permitted from September 1 through the last day of the State quail season.

(iii) Hunting is permitted from ½ hour before sunrise to sunset only.

(d) *Arkansas*—* * *

(2) *Felsenthal National Wildlife Refuge.* * * *

(iii) Hunting of raccoon and opossum is permitted from December 1–5 and January 26–30, during the hours of darkness only. Daily bag limit for raccoon is two per hunter or four per party per night.

* * * * *

(3) *Holla Bend National Wildlife Refuge.* Hunting of raccoon, opossum, squirrel, rabbit, beaver and coyote is permitted on designated areas of the refuge subject to the following conditions:

* * * * *

(4) *Overflow National Wildlife Refuge.* * * *

(iii) Hunting of raccoon and opossum is permitted from December 1–5 and January 26–30 during the hours of darkness only. Daily bag limit for raccoon is 2 per hunter or 4 per party per night.

* * * * *

(6) *White River National Wildlife Refuge.* * * *

(v) Hunters may camp in designated areas.

(vi) Loaded firearms are not permitted within 100 yards of campground.

(e) *California*—* * *

(8) *San Pablo Bay National Wildlife Refuge.* Hunting of pheasants is permitted on designated areas of the refuge.

* * * * *

(h) *Florida*—* * *

(3) *St. Marks National Wildlife Refuge.* * * *

(ii) Hunting is permitted beginning the second Friday in December through the last Sunday in January.

* * * * *

(i) *Georgia*—* * *

(2) *Savannah National Wildlife Refuge.* Hunting of squirrel is permitted on designated areas of the refuge subject to the following conditions:

* * * * *

(1) *Illinois, Iowa and Missouri—Mark Twain National Wildlife Refuge.* * * *

(1) Hunting is permitted on the Big Timber Division and Turkey and Otter Islands.

(2) Hunting of squirrel is permitted on the Keithburg Division from the opening of the State season until the start of the Illinois waterfowl hunting season. Hunting of squirrel is permitted on the Gardner Division from the opening of the State season through September 30.

* * * * *

(q) *Louisiana*—(1) *Bogue Chitto National Wildlife Refuge.* * * *

(ii) Hunting of raccoon and opossum is permitted beginning the last day of the State deer season to the end of the State trapping season.

(ii) Daily bag limit for raccoon is two per hunter or four per party per night.

(2) *Catahoula National Wildlife Refuge.* Hunting of squirrel and rabbit is permitted on designated areas of the refuge subject to the following conditions:

(i) Hunting is permitted from the opening day of the State season through October 31.

(ii) Daily permits are required.

(3) *D'Arbonne National Wildlife Refuge.* * * *

(iii) Daily bag limit for raccoon is two per hunter or four per party per night.

* * * * *

(6) *Upper Quachita National Wildlife Refuge.* * * *

(iii) Daily bag limit for raccoon is two per hunter or four per party per night.

* * * * *

(t) *Michigan-Seney National Wildlife Refuge.* Hunting of grouse and snowshoe hare is permitted on designated areas of the refuge.

* * * * *

(v) *Mississippi*—(1) *Bogue Chitto National Wildlife Refuge.* * * *

(ii) Hunting of raccoon and opossum is permitted beginning on the day after the close of the State gun-deer season through the end of the State season.

(iii) Daily bag limit for raccoon is two per hunter or four per party per night.

* * * * *

(z) *Nevada*—(1) *Pahranagat National Wildlife Refuge.* Hunting of quail and rabbit is permitted on designated areas of the refuge subject to the following condition: Hunting of jackrabbit is permitted only during the regular State season for cottontail rabbit.

* * * * *

(cc) *North Carolina*—(1) *Alligator River National Wildlife Refuge.* Hunting of squirrel, rabbit, quail, raccoon and opossum is permitted on designated areas of the refuge subject to the following condition: The use of hunting dogs is permitted on designated areas of the refuge.

* * * * *

(3) *Pee Dee National Wildlife Refuge.* * * *

(i) Hunting of squirrel is permitted for 14 consecutive days beginning Monday following the third Saturday in November.

* * * * *

(iv) Hunting of raccoon and opossum is permitted the first day of the State season through the third Saturday in November.

* * * * *

(hh) *South Carolina*—* * *

(4) *Savannah National Wildlife Refuge.* Hunting of squirrel is permitted on designated areas of the refuge subject to the following conditions:

* * * * *

(jj) *Tennessee*—(1) *Chickasaw National Wildlife Refuge.* Hunting of squirrel, rabbit, quail, raccoon, and opossum is permitted on designated areas of the refuge subject to the following conditions:

(i) Seasons and bag limits are in accordance with State regulations for the Upper Anderson-Tully Wildlife Management Area.

(ii) Hunting of upland game, except raccoon, is not permitted during firearm deer hunts.

(2) *Cross Creeks National Wildlife Refuge.* Hunting of squirrel is permitted on designated areas of the refuge subject to the following conditions:

(i) Permits are required.

(ii) Hunting is permitted during the first 14 days of October.

* * * * *

(5) *Tennessee National Wildlife Refuge.* Hunting of squirrel and raccoon is permitted on designated areas of the refuge subject to the following conditions:

(i) Hunting of squirrel is permitted during the first four weeks of the State season.

(ii) Hunting of raccoon is permitted during the first 10 days of the State season.

* * * * *

4. Section 32.32 is amended by revising paragraphs (a)(1)(iii), (2)(i) and (ii); adding paragraphs (a)(2)(iv), (v) and (vi); removing paragraph (c)(1)(ii); revising paragraphs (a)(3)(ii) and (iii) and (c)(2); adding paragraphs (d)(1)(iv) and (v); revising paragraphs (d)(2)

introductory text, (d)(2)(ii), and (iv); adding paragraphs (d)(2)(vii) and (viii); revising paragraphs (d)(4) introductory text and (d)(4)(ii); removing paragraphs (d)(4)(iii) and (iv); redesignating paragraphs (d)(4)(v) and (vi) as (d)(4)(iii) and (iv); revising paragraphs (d)(5)(ii), (iii), (v) and (vi) and (h)(3)(ii); adding paragraph (h)(3)(v); revising paragraphs (h)(5)(ii), (iii) and (iv); removing paragraphs (h)(5)(v) and (vi); redesignating paragraphs (h)(5)(vii) through (x) as (h)(5)(v) through (viii); and revising newly redesignated paragraphs (h)(5)(vi) and (vii); revising paragraphs (h)(6)(ii) and (v); adding (h)(6)(ix); redesignating paragraphs (i)(2) through (5) as (i)(3) through (6), adding paragraph (i)(2); adding paragraphs (i)(5)(ix) and (x); revising paragraph (o)(1); revising paragraphs (r)(1) introductory text, (r)(1)(ii) and (iii); revising paragraphs (r)(2)(i), (ii) and (iii); adding paragraphs (r)(2)(iv), (v) and (vi); revising paragraph (r)(3); revising paragraph (r)(4)(i); adding paragraph (r)(5)(iii); revising paragraph (r)(7); adding paragraph (s)(5); revising paragraphs (v)(2) and (3); revising paragraphs (x)(1)(ii) and (iii); adding paragraph (x)(1)(iv); revising paragraphs (x)(2)(ii), (iii), (iv) and (v); revising paragraph (x)(6)(v); adding paragraphs (x)(6)(vi), (vii) and (viii); revising paragraphs (x)(7)(iv) and (v); redesignating paragraphs (ff)(1) through (4) as (ff)(2) through (5); and revising newly redesignated paragraphs (ff)(4)(ii), (iv), (v) and (vi); adding paragraph (ff)(1); redesignating paragraphs (ii)(1) through (5) as (ii)(2) through (6); adding paragraph (ii); revising paragraph (kk)(3)(ii); redesignating paragraphs (mm)(1) through (4) as (mm)(2) through (5); and revising newly redesignated paragraphs (mm)(2)(i) and (ii) and (3)(iii) and (iv); adding paragraphs (mm)(1), (2)(iii), and (3)(v) and (rr)(4)(iv) as follows:

§ 32.32 Refuge-specific regulations; big game.

(a) *Alabama*—(1) *Choctaw National Wildlife Refuge.* * * *

(iii) Hunting is permitted from the opening day of the State season through December 15.

(2) *Eufaula National Wildlife Refuge.* * * *

(i) Permits are required.

(ii) Archery hunting is permitted on the Alabama portion of the refuge during the entire State archery season except during scheduled youth hunts.

* * * * *

(iv) A two-day youth hunt is permitted during the Alabama and Georgia either-sex firearm reason.

(v) Only persons age 16 or younger are permitted to hunt with, carry, handle or discharge a firearm.

(vi) Youth hunters are required to check in and out of the refuge during the youth hunt.

(3) *Wheeler National Wildlife Refuge.* * * *

(ii) Archery hunting is permitted beginning November 1 through the end of the State season.

(iii) Hunting with flintlock firearms is permitted beginning January 16 through the end of the State season.

* * * * *

(c) *Arizona and California*—* * *

(2) *Imperial National Wildlife Refuge.* Hunting of mule deer and desert bighorn sheep is permitted on designated areas of the refuge.

(d) *Arkansas*—(1) *Big Lake National Wildlife Refuge.* * * *

(iv) Hunters must check out of the refuge after each day's hunt.

(v) Only portable deer stands are permitted and must be removed after each day's hunt.

(2) *Felsenthal National Wildlife Refuge.* Hunting of white-tailed deer and feral hogs is permitted on designated areas of the refuge subject to the following conditions:

* * * * *

(ii) Archery hunting is permitted only during the months of October and December except by special permit during quota deer gun hunts.

* * * * *

(iv) Modern gun hunting is permitted during the second Friday and Saturday of November and the Friday and Saturday following Thanksgiving.

* * * * *

(vii) Possession of a deer without a valid quota deer hunt permit during the modern gun hunt is prohibited.

(viii) All deer must be checked at designated check stations.

* * * * *

(4) *Overflow National Wildlife Refuge.* Hunting of white-tailed deer and feral hogs is permitted on designated areas of the refuge subject to the following conditions:

* * * * *

(ii) Archery hunting is permitted during the months of October and December.

* * * * *

(5) *White river National Wildlife Refuge.* * * *

(ii) Hunters may camp in designated areas only.

(iii) Possessing a loaded firearm within 100 yards of a campground is prohibited.

* * * * *

(v) Muzzleloader hunting is permitted the first two days of the first State muzzleloader deer season.

(vi) Hunting of deer with modern guns is permitted the first three days of the first State deer gun season.

* * * * *

(h) *Florida*— * * *

(3) *Lower Suwannee National Wildlife Refuge.* * * *

(ii) Archery and muzzleloading gun hunting of deer and feral hogs is permitted on the Levy County portion of the refuge in accordance with State seasons.

* * * * *

(v) Modern gun hunting of deer and feral hogs is permitted on the Levy County portion of the refuge beginning the opening day of the general State gun deer season for four consecutive weeks excluding Thanksgiving Day.

* * * * *

(5) *St. Marks National Wildlife Refuge.* * * *

(ii) Archery hunting is permitted for deer (either sex), turkey and hogs for 10 consecutive days beginning the first Friday in October.

(iii) Deer (either sex), turkey and hog hunting using bows and/or muzzleloaders is permitted for three consecutive days beginning the second Friday in November.

(iv) Deer, turkey (bearded only) and hog hunting is permitted for two, three consecutive day hunts beginning the third and fourth Fridays in November.

* * * * *

(vi) A hog-only hunt is permitted for three consecutive days beginning the first Friday in December.

(vii) Hunting of turkey (bearded only) is permitted for 10 consecutive days beginning the fourth Friday in March.

* * * * *

(6) *St. Vincent National Wildlife Refuge.* * * *

(ii) Archery hunting is permitted for three consecutive days beginning on the second Thursday in January.

* * * * *

(iv) A primitive weapons hunt is permitted for three consecutive days beginning on the second Thursday in January.

* * * * *

(ix) Only still and stalk hunting are permitted.

(i) *Georgia*— * * *

(2) *Eufaula National Wildlife Refuge.* Regulations are the same as paragraph (a)(2) of this section.

* * * * *

(5) *Piedmont National Wildlife Refuge.* * * *

(ix) Buckshot is prohibited.

(x) Only persons 12 years of age or older are permitted to hunt.

* * * * *

(o) *Indiana—Muscatatuck National Wildlife Refuge.** * *

(1) Permits are required during the second State muzzleloader season. Archery hunting is permitted following the second muzzleloader season.

* * * * *

(r) *Louisiana*—(1) *Bogue Chitto National Wildlife Refuge.* Hunting of white-tailed deer, turkey and feral hogs is permitted on designated areas of the refuge subject to the following conditions.

* * * * *

(ii) Feral hogs may be taken during all refuge hunts except during the turkey hunt.

(iii) Bucks-only deer gun hunting is permitted on six consecutive days beginning the fourth Saturday of November and seven consecutive days beginning the fourth Saturday in December.

* * * * *

(2) *Catahoula National Wildlife Refuge.* * * *

(i) Daily permits are required.

(ii) Muzzleloader hunting is permitted beginning January 2 through the end of the State muzzleloader season. Bucks only.

(iii) Checking of bagged game at an official check station is required.

(iv) Youth gun hunting is permitted the first and second Saturdays of November. Either sex may be taken.

(v) Only still and stalk hunting are permitted.

(vi) Feral hogs may be taken during all refuge hunts.

(3) *D'Arbonne National Wildlife Refuge.* Hunting of white-tailed deer and feral hogs is permitted on designated areas of the refuge subject to the following conditions:

(i) Bucks-only deer hunting is permitted during the first seven days of the State season.

(ii) Either-sex deer hunting is permitted the first day Friday and Saturday following Thanksgiving.

(iii) Feral hogs may be taken during any refuge deer hunt.

(4) *Delta National Wildlife Refuge.* * * *

(i) Only still and stalk hunting are permitted.

* * * * *

(5) *Lacassine National Wildlife Refuge.* * * *

(iii) Only portable tree stands may be used and must be removed from the refuge after each day's hunt.

* * * * *

(7) *Upper Ouachita National Wildlife Refuge.* Hunting of white-tailed deer and feral hogs is permitted on designated areas of the refuge subject to the following conditions:

(i) Bucks-only deer hunting is permitted during the first seven days of the State season.

(ii) Either-sex deer hunting is permitted the first Friday and Saturday following Thanksgiving.

(iii) Feral hogs may be taken during any refuge deer hunt.

(s) *Kentucky and Tennessee*— * * *

(5) Archery hunting is permitted for five consecutive days beginning the third Saturday in October.

* * * * *

(v) *Michigan*— * * *

(2) *Seney National Wildlife Refuge.* Hunting of deer and bear is permitted on designated areas of the refuge subject to the following condition: The use of dogs while bear hunting is not permitted.

(3) *Shiawassee National Wildlife Refuge.* Hunting of white-tailed deer is permitted on designated areas of the refuge subjects to the following condition: Permits may be required.

* * * * *

(x) *Mississippi*—(1) *Bogue Chitto National Wildlife Refuge.* * * *

(ii) Bucks-only deer gun hunting is permitted for six consecutive days beginning the fourth Saturday in November and seven consecutive days beginning on the fourth Saturday in December.

(iii) Either-sex deer gun hunting is permitted for three consecutive days beginning the Friday following Thanksgiving.

(iv) A shotgun only turkey hunt is permitted during the State season.

(2) *Hillside National Wildlife Refuge.* * * *

(ii) Checking of bagged game at an official check station is required.

(iii) General gun deer (either sex) hunting is permitted for two consecutive days beginning the third Tuesday in December.

(iv) Only still and stalk hunting are permitted.

(v) Two muzzleloader hunts are permitted beginning the first and second Tuesday of the State season.

* * * * *

(6) *Panther Swamp National Wildlife Refuge.* * * *

(v) General gun deer hunting (either sex) is permitted the first Saturday of the State season and for three consecutive days beginning the third Thursday of the State season.

(iv) An eight consecutive day bucks-only hunt is permitted beginning the second day of the State season.

(vii) A shotgun only turkey hunt is permitted during the State season.

(viii) Checking of bagged game at an official check station is required.

(7) *Yazoo National Wildlife Refuge.* * * *

(iv) Muzzleloader deer hunting is permitted for five consecutive days beginning the second Tuesday in December.

(v) A general gun hunt is permitted the first day of the State's either-sex season.

* * * * *

(ff) *North Carolina*—(1) *Alligator River National Wildlife Refuge.* Hunting of white-tailed deer is permitted on designated areas of the refuge subject to the following condition: The use of hunting dogs is permitted on designated areas of the refuge.

* * * * *

(4) *Pee Dee National Wildlife Refuge.* * * *

(ii) Muzzleloader hunting is permitted the Wednesday following the first Saturday in November.

* * * * *

(iv) Archery hunting is permitted during the month of October.

(v) Youth gun hunting is permitted the first Saturday in November. Only persons age 15 or younger are permitted to carry, handle or discharge a firearm.

(vi) Two consecutive day gun hunts are permitted starting the first and second Fridays in November.

* * * * *

(ii) *Oregon*—(1) *Bear Valley National Wildlife Refuge.* Hunting of deer only is permitted on designated areas of the refuge subject to the following conditions:

(i) Hunting opens concurrent with the State season and closes October 31.

(ii) No hunting or public entry of any kind is permitted from November 1 to March 31.

* * * * *

(kk) *South Carolina*— * * *

(3) *Pinckney Island National Wildlife Refuge.* * * *

(ii) Hunting is permitted the third Saturday in November.

* * * * *

(mm) *Tennessee*—(1) *Chickasaw National Wildlife Refuge.* Hunting of white-tailed deer and turkey is permitted on designated areas of the refuge subject to the following conditions:

(i) State permits for the Upper Anderson-Tully Wildlife Management Area are required for the turkey hunt.

(ii) Muzzleloader, gun and archery deer hunting is permitted in accordance with State regulations for the Upper

Anderson-Tully Wildlife Management Area.

(2) *Cross Creeks National Wildlife Refuge.* * * *

(i) Archery hunting is permitted during the last 14 days of the State archery season.

(ii) Tagging and checking of deer at a State check station is required.

(iii) Permits are required.

(3) *Hatchie National Wildlife Refuge.* * * *

(iii) Firearm deer hunting is permitted during two one-day hunts the third and fourth Saturdays in October. One deer, either sex, may be taken.

(iv) Archery hunting is permitted for the first 16 days of the State season. Two deer, either sex, may be taken.

(v) Turkey hunting is permitted during two of the three-day hunts, beginning the second and fourth Fridays of the State season. One bearded turkey may be taken.

* * * * *

(rr) *Washington*— * * *

(4) *Willapa National Wildlife Refuge.* * * *

(iv) Baiting for bear is prohibited.

§ 32.41 [Amended]

5. Section 32.41 is amended by revising the information collection and OMB approval number table to read as follows:

* * * * *

Type of information collection	OMB approval No.
Economic and Public Use Permits	1018-0014

* * * * *

Dated: August 25, 1986.

William P. Horn,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 86-20168 Filed 9-10-86; 8:45 am]

BILLING CODE 4310-55-M

---

50 CFR Part 36

Kenai National Wildlife Refuge; Resource Protection Regulations

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: The Fish and Wildlife Service (Service) is issuing final regulations for public use and access on the Kenai National Wildlife Refuge (NWR). These rules further define the existing general regulations for the Alaska NWRs and describe the conditions under which public use and recreation, including but not limited to hunting, fishing, trapping, and camping, will be permitted on the refuge. To protect refuge resources, to promote the safety of refuge users, and to more equitably allocate opportunities to enjoy refuge facilites, these refuge-specific regulations are promulgated pursuant to 50 CFR 36.42 (e) and (g).

EFFECTIVE DATE: September 11, 1986.

FOR FURTHER INFORMATION CONTACT: William Knauer at (907) 786-3399; or the Refuge Manager, Kenai National Wildlife Refuge, P.O. Box 2139, Soldotna, Alaska 99669; Telephone (907) 262-7021.

SUPPLEMENTARY INFORMATION: Regulations in this rule supplement and amend the Management Regulations for Alaska National Wildlife Refuges (50 CFR Part 36), published at 46 FR 31827 on June 17, 1981. The rule has been developed in accordance with the public participation and closure procedures for Alaska NWRs described in 50 CFR 36.42. The regulations contained herein supersede the special regulations for Kenai NWR contained in 50 CFR 26.34. Those special regulations were promulgated to protect Alaska refuge resources and to ensure public safety while still allowing traditional activities and recreational use.

Kenai NWR was used by nearly one-half million visitors in 1985, and the number of visitors is increasing. These regulations for access and public use are designed to protect the refuge's fish, wildlife, and habitat resources from the effects of intensive unregulated public use. They will also assist in protecting the health and safety of the many people who use the refuge.

These regulations are consistent with the preferred management alternative in the Kenai NWR Compreshensive Conservation Plan (CCP), for which a Record of Decision was signed on June 27, 1985. A detailed examination of their need is available for review at the refuge headquarters and the regional office (address above). The need for regulations and the appropriateness of these regulations for Kenai NWR will be reviewed on a regular basis and changes will be proposed as necessary both to protect the resources and to reduce any regulatory burden.

Department of the Interior policy is, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. On March 5, 1986, the proposed rule setting out resource protection regulations for Kenai NWR was published in the **Federal Register** (51 FR 7593), with a 60-day comment period. During that period and after notice in statewide and local newspapers and on local radio, public hearings were held in Soldotna, Homer, and Anchorage, Alaska. The State of Alaska and one other commenter responded that they felt there was inadequate notification of the meetings, so the Service held an additional hearing in Anchorage.

Responses to Comments

During the comment period, 33 letters were received. Substantive comments are outlined and responded to below:

Issue 1: A concern was expressed that there was not adequate notification of the public.

Response: The Service complied with all regulatory requirements for notification of the public; but because of the above concern, an additional public meeting was held in Anchorage. In the future, direct mailings to interested parties will be utilized to ensure widespread notice.

Issue 2: One commenter wished to know why subsistence was not a priority on Kenai NWR.

Response: The Alaska National Interest Lands Conservation Act (ANILCA) of 1980 specifically did not include subsistence as a purpose of Kenai NWR; however, the impact of these regulations on subsistence opportunities was examined in the Environmental Assessment and found to have minimal or no effect on subsistence.

Issue 3: One commenter suggested that pre-ANILCA lands should be treated differently than lands added by ANILCA when regulating access.

Response: ANILCA placed all lands under a single management authority by including them in the Kenai NWR. The regulations on pre-ANILCA lands were promulgated for purposes of resource protection. Since wildlife populations know no boundaries and the habitat conditions on lands added by ANILCA are similar to pre-ANILCA lands, managing the lands separately would not be an effective means of resource protection.

Issue 4: Various commenters felt that the proposed rules were overly restrictive on wheeled-aircraft access or conversely, too liberal. Two commenters thought that wheeled-aircraft access should be allowed on Sheep Creek below Glacier Lake near Dinglestadt Glacier, along Fox River to Chernof Glacier, an area between Tustamena Lake and Glacier, and an area between Skilak Lake and Glacier.

Response: Wheeled-aircraft access on the refuge was prohibited by regulation in 1965; however, there is documented use of wheeled-aircraft along Dinglestadt and Wusnesenski Glacier terminus lakes when these areas were

under other jurisdictions. Changes opening those two areas have been made in this final rule to continue wheeled-aircraft access. The Service feels, after examination of the potential biological impacts to the resource, that the other restrictions are appropriate.

Issue 5: Various commenters thought additional lakes should be opened for aircraft access.

Response: Those additional lakes were evaluated on an individual basis and Kolomin Lakes will be opened to aircraft access and Swanson, Gene, and Pepper Lakes have been added in this final rule to the list of lakes open to aircraft access for ice fishing. Other areas were not opened due to safety reasons (e.g., too small for aircraft operation).

Issue 6: One commenter argued that the dates for aircraft closure (§ 36.39(i)(1)(ii)) and the dates for motorboat closure § 36.39(i)(2)(ii)) to protect swans should match the dates contained in the Kenai NWR CCP. Another emphasized that the ending date should be September 10 to allow access during moose season.

Response: Research data obtained since the draft CCP was published indicates that the swans are not leaving the lakes until the end of September; nesting lakes are the key to swan survival. Regarding the earlier opening, we examined the impacted lakes and found that all but two are either too small for safe aircraft operation, have an open lake nearby, or are accessible by other means. All lakes, except Windy and Lonesome Lakes, will remain closed until September 30 each year. Windy and Lonesome Lakes will be opened on September 11, because there is no other access nearby.

Issue 7: One commenter pointed out that aircraft access to the Kenai River should be restricted when the river is closed to boat motor use.

Response: Aircraft operations are disruptive to staging swans on the Kenai River as well as a hazard during periods of high boating use. The Service acknowledges this oversight in the proposed rule. Accordingly, the suggested change has been made in this final rule.

Issue 8: One commenter stated that the dates (§ 36.39(i)(2)(ii)) for motorboat closure on the Kenai River should coincide with State closure dates.

Response: The Service agrees with the State's assessment of resource needs justifying the dates for this closure. Therefore, the change has been made in this final rule.

Issue 9: One commenter suggested that since there has been some historic use of the tidal portion of the Chickaloon River that it should remain open to unrestricted motorboat use (section (i)(2)(iv)).

Response: This final rule has been modified to reflect that the Chickaloon River downstream of rivermile 7.5 will remain open.

Issue 10: One commenter felt that the term "nesting" should be removed from those regulations referring to swans.

Response: Service biologists indicate that, on lakes where swans are nesting (which is extremely obvious even to the casual observer), disturbance is detrimental to cygnet survival. Therefore, this suggestion has not been adopted.

Issue 11: One commenter felt that off-road vehicles (ORV) should be permitted on lands added to the refuge by ANILCA. Another felt that the term "non-traditional" was inappropriate when referring to airboats.

Response: ORVs have not been traditionally used by the public for recreational activities on Kenai NWR (even on the new additions) and their use for subsistence purposes was not identified on the ANILCA additions. Access to inholdings is governed by separate regulations in 50 CFR 36.23. With respect to airboats, section 1110(a) of ANILCA and its legislative history indicate that motorboats were the only methods of motorized water transport that were to be given special access to conservation system units. The Service recognizes that the modifier "traditional" in section 1110(a) does not refer to transportation methods but to the activities for which access is given. The Service therefore has revised section (3)(i) of the regulations by rewording the phrase "non-traditional motorized watercraft" to read "motorized watercraft except motorboats."

Issue 12: One commenter suggested deleting section (i)(3)(vii) on snowmobile use for big game hunting/transporting since there were no hunting seasons occurring when snowmobiles could be used.

Response: The Service concurs and this section has been deleted.

Issue 13: One commenter objected to the Caribou Hills area remaining open to snowmobile use (section (i)(4)(ii)).

Response: Currently, there is no caribou use of the area; if at a later date, there is a need to protect reestablished caribou, a restriction will be considered. No changes are being made at this time.

Issue 14: One commenter requested prohibiting hunting and trapping in the Skilak Loop Wildlife Management Area as presented in the Kenai NWR CCP.

Response: These restrictions, if necessary, will be proposed by the State through their regulatory process.

Issue 15: One commenter questioned the ¼ mile restriction (section (i)(5)(i)). Another commenter desired that the word "public" be inserted when referring to facilities and deleting the words "trailheads," "waysides," and "Sterling Highway."

Response: Current regulations do not adequately protect the public from a shooter who is inadvertently or intentionally shooting within close proximity of heavily used public facilities, including the Sterling Highway. The ¼ mile designation is a widely accepted safety standard throughout the country. The ¼ mile designation has been retained from the east refuge boundary to the junction of the Skilak Loop Road (east end). The word "public" has been added. These other areas, most heavily utilized by families, visitors, and the non-hunting public, are extremely unsafe if indiscriminate shooting is allowed. The terms "waysides," "trailheads," and "Sterling Highway" have been left in the regulations.

Issue 16: One commenter argued that the permit requirement found in section (i)(5)(ii) relating to the baiting of black bears should be deleted.

Response: The State currently does not have a system regulating the baiting of black bears. The requirement for a permit is necessary to insure visitor safety on the refuge by preventing baiting in high public use areas and by preventing the proliferation of garbage and litter.

Issue 17: One commenter felt that the restriction on being airborne prior to taking fur animals (section (i)(5)(v)) should be deleted. Another felt it should be expanded to prohibit any use of airplanes in the running of a trapline.

Response: This regulation has been deleted since the State now has a similar regulation in effect.

Issue 19: One commenter questioned the chainsaw restrictions (section (i)(7)(vii)) in wilderness. Another suggested deleting the restriction for ANILCA-added wilderness areas.

Response: ANILCA placed all lands under a single management authority by including them in the Kenai NWR. The wilderness areas on Kenai NWR do not have a history of use of chainsaws for subsistence purposes. The use of chainsaws is permitted on all of the non-wilderness areas on the refuge.

Conformance With Statutory and Regulatory Authorities

Executive Order 8979 of December 16, 1941, originally established the Kenai National Moose Range. ANILCA (16 U.S.C. 3101) redesignated the Moose Range as the Kenai NWR. The purposes of the refuge, outlined as follows, are specified in sections 302 and 303 of ANILCA: (a) Conservation of fish and wildlife populations and habitats; (b) fulfillment of international treaty obligations; (c) protection of water quality and quantity, consistent with (a) above; (d) provision for opportunities for scientific research, interpretation, environmental education and land management training, consistent with (a) and (b) above; and (e) provision for opportunities for fish and wildlife-oriented recreation in a manner compatible with refuge purposes. ANILCA also designated 1.35 million acres or about 69% of the refuge as wilderness, which is managed in accordance with the provisions of the Wilderness Act, the National Wildlife Refuge System Administration Act, and ANILCA.

Section 304 of ANILCA requires the Secretary of the Interior to prescribe such regulations as may be necessary and appropriate to ensure that any activities carried out on a national wildlife refuge in Alaska are compatible with the purposes of the refuge.

Section 1110(a) of ANILCA requires the Secretary of the Interior to permit, on Alaska refuges, including designated wilderness areas, the use of airplanes, motorboats, snowmachines and nonmotorized surface transportation for traditional activities and for travel to and from villages. Such use is subject to reasonable regulation to protect the natural and other values of the resources on refuge units.

Restrictions on these modes of access can be imposed only if refuge resources are being detrimentally impacted and if a public hearing is first held in the area in which the restriction would be imposed. The Service believes that unlimited, unrestricted public use would harm the resource values of the refuge as described in the document entitled "Resource Needs for Regulations on Kenai National Wildlife Refuge," which is available from the refuge or regional office (address above). This document also describes in detail the resource impact basis for the access restrictions contained in these regulations, and thus demonstrates the consistency of the regulations with the requirements of section 1110(a).

These regulations have been evaluated as to their impact on subsistence uses as required by section 810 of ANILCA. Public use and access is expected to differ little from that previously allowed. The regulations are consistent with the purposes and intent of section 810 and will result in no significant restrictions on subsistence activities.

Properly regulated public use and access are consistent with and will not interfere with the refuge purposes delineated above, and are thus compatible with the purposes for which the Kenai NWR was established.

Environmental Considerations

The final Environmental Impact Statement for operation of the National Wildlife Refuge System (FES 76–59) was filed with the Council on Environmental Quality on November 12, 1976. A notice of availability was published in the **Federal Register** on November 19, 1976 (41 FR 51131).

An Environmental Assessment and Finding of No Significant Impact for proposed interim regulations for Alaska National Wildlife Refuges was approved on May 13, 1981. The final regulations have essentially left unchanged the level of use previously permitted. An Environmental Impact Statement on the management of Kenai NWR was completed in April 1985 and a Record of Decision was signed on June 27, 1985. The final regulations conform with that Record of Decision.

In view of the rapidly approaching hunting seasons, there is an immediate need to place these regulations into effect. These regulations were promulgated to give needed protection to refuge resource values and to permit equal opportunity for the public to enjoy the same. To delay the effective date of these regulations would cause greater adverse impacts to the resources and would not be in the best interest of the Service or the public. Thus the Department concludes that good cause exists within the meaning of 5 U.S.C. 553(d)(3) of the Administrative Procedure Act to make these regulations effective upon publication in the **Federal Register.**

Paperwork Reduction Act

The Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*) requires each information collection requirement to display an Office of Management and Budget (OMB) clearance number and contain a statement to inform the person receiving the request why the information is being collected, how it will be used, and whether a response is voluntary, mandatory, or required to obtain a benefit. The Service has received approval from OMB for the information collection requirements of these regulations under the approval number 1018–0014. These regulations impose no new reporting or recordkeeping requirements that must be cleared by OMB. The information is being collected to assist the Service in administering these programs in accordance with statutory authorities requiring that public uses be compatible with the primary purposes for which the areas were established. The information collection is necessary for the refuge manager to issue permits and a response is required to obtain permitted benefits.

Economic Effects

Executive Order 12291, "Federal Regulations," of February 19, 1981, requires the preparation of a regulatory impact analysis for major rules. A major rule is one likely to result in an annual effect on the economy of $100 million or more; a major increase in costs or prices for consumers, individual industries, government agencies or geographic regions; or significant adverse effects on the ability of United States-based enterprises to compete with foreign-based enterprises. The Regulatory Flexibility Act of 1980 (5 U.S.C. 601 *et seq.*) requires preparation of flexibility analyses for rules that will have a significant effect on a substantial number of small entities, which include small businesses, organization or governmental jurisdictions.

The Department of the Interior had determined that this rulemaking is not a "major rule" within the meaning of Executive Order 12291 and certifies that it will not have a significant economic effect on a substantial number of small entities within the meaning of the Regulatory Flexibility Act. This rule is expected to cost the National Wildlife Refuge System less than $15,000 annually for permit processing and is expected to cost the users of refuge resources who need permits less than $8,000 annually ($15 estimated individual cost for time and information to develop a permit application).

Unregulated public use would ultimately result in the termination of many recreational activities on the refuge because of damage to refuge resources. Regulating public use as detailed in this document will allow recreational activities to continue, having a minor positive secondary effect on sporting goods stores, restaurants, hotels, motels, and inns. The regulations will impose no costs on small entities. The exact number of business and the amount of trade that will result from implementing these regulations is unknown. The aggregate effect is a

positive economic effect on a number of small entities. The number of small entities affected is unknown; however, the positive effects will be seasonal in nature and will, in most cases, merely continue existing uses of refuge areas. The impacts will not be significant.

William Knauer, Refuges and Wildlife, U.S. Fish and Wildlife Service, Anchorage, Alaska, is the primary author of this rulemaking document.

List of Subjects in 50 CFR Part 36

Alaska, National Wildlife Refuge System, Public land—mineral resources, Public lands—rights-of-way, Recreation, Traffic regulations, Wildlife refuges.

For the reasons set out in the preamble, Part 36, Chapter I of Title 50 of the Code of Federal Regulations is amended as set forth below:

PART 36—[AMENDED]

1. The authority citation for Part 36 is revised to read as follows:

Authority: 16 U.S.C. 460k et seq., 668dd et seq., 742(a) et seq., 3101 et seq.; 44 U.S.C. 3501 eq seq.

2. Subpart E—Permits and Public Participation, consisting of §§ 36.41 and 36.42, is redesignated as Subpart F and the heading is revised to read as follows:

Subpart F—Permits and Public Participation and Closure Procedures

3. A new Subpart E consisting of § 36.39 is added to read as follows:

Subpart E—Refuge Specific Regulations

§ 36.39 Public use.

(a) *General.* Public use of Alaska National Wildlife Refuges (NWR) is permitted subject to all other parts of 50 CFR Part 36, those sections of 50 CFR Subchapter C not supplemented by Part 36, and the following refuge-specific requirements:

(b)-(h) (Reserved).

(i) *Kenai National Wildlife Refuge*—(1) *Aircraft.* (i) The operation of aircraft on the Kenai NWR, except in an emergency, is permitted only as authorized in designated areas as described below. These areas are also depicted on a map available from the Refuge Manager.

(A) Within the Canoe Lakes, Andy Simons, and Mystery Creek units of the Kenai Wilderness, only the following lakes are designated for airplane operations:

Canoe Lakes Unit

Bedlam Lake
Bird Lake
Cook Lake
Grouse Lake
King Lake
Mull Lake
Nekutak Lake
Norak Lake
Sandpiper Lake
Scenic Lake
Shoepac Lake
Snowshoe Lake
Taiga Lake
Tangerra Lake
Vogel Lake
Wilderness Lake

Pepper, Gene, and Swanson Lakes are only open for sport ice fishing.

Andy Simons Unit

Emerald Lake
Green Lake
Harvey Lake
High Lake
Iceberg Lake
Kolomin Lakes
Lower Russian Lake
Martin Lake
Pothole Lake
Twin Lakes
Upper Russian Lake
Windy Lake
Dinglestadt Glacier terminus lake
Wusnesenski Glacier terminus lake

Tustumena Lake and all wilderness lakes within one mile of the shoreline of Tustumena Lake.

All unnamed lakes in sections 1 & 2, T. 1 S., R. 10 W., and sections 4, 5, 8, & 9, T. 1 S., R. 9 W., S.M., AK.

Mystery Creek Unit

An unnamed lake in section 11, T. 6 N., R. 5 W., S.M., AK.

(B) Airplanes may operate on all lakes outside the Kenai Wilderness, except those lakes with recreational developments, including, but not limited to, campgrounds, campsites, and public hiking trails connected to road waysides. The non-wilderness lakes closed to aircraft operations are as follows:

North of Sterling Highway

Afonasi Lake
Anertz Lake
Breeze Lake
Cashka Lake
Dabbler Lake
Dolly Varden Lake
Forest Lake
Imeri Lake
Lili Lake
Mosquito Lake
Rainbow Lake
Silver Lake
Upper Jean Lake
Watson Lake
Weed Lake
West Lake

All lakes in the Skilak Loop Area (South of Sterling Highway and North of Skilak Lake) are closed to aircraft except that airplanes may land on Bottenintnin Lake, which is open year-around and Hidden Lake, which is only open for sport ice fishing.

South of Sterling Highway

Headquarters Lake is restricted to administrative use only.

(ii) Notwithstanding any other provision of these regulations, the operation of aircraft is prohibited between May 1 and September 30, inclusive, on any lake where nesting trumpeter swans and/or their broods are present, except Windy and Lonesome Lakes where the closure is between May 1 and September 10 inclusive.

(iii) The operation of wheeled aircraft, at the pilot's own risk, is only authorized on the unmaintained Big Indian Creek Airstrip, on gravel areas within ½ mile of Wusnesenski Glacier terminus lake, and within the SE¼, section 16 and SW¼, section 15, T. 4 S., R. 8 W., Seward Meridian.

(iv) Unlicensed aircraft are permitted to operate on the refuge only as authorized by a special use permit from the Refuge Manager.

(v) Airplanes may operate only within designated areas on the Chickaloon Flats, as depicted on a map available from the Refuge Manager.

(vi) Airplane operation is permitted on the Kasilof River, the Chickaloon River outlet, and the Kenai River below Skilak Lake from June 15 through March 14. All other rivers on the refuge are closed to aircraft.

(2) *Motorboats.* Motorboats are authorized on all waters of the refuge except under the following conditions and within the following areas:

(i) Motorboats are not authorized on lakes within the Canoe Lakes Unit of the Kenai Wilderness, except those lakes designated for airplane operations as described on a map available from the Refuge Manager. Boat motor use is not authorized on those portions of the Moose and Swanson Rivers within the Canoe Lakes Unit of the Kenai Wilderness.

(ii) That section of the Kenai River from the outlet of Skilak Lake downstream for three miles is closed to motorboat use between March 15 and June 14, inclusive. However, any boat having a motor attached may drift or row through this section provided the motor is not operating.

(iii) That section of the Kenai River from the powerline crossing located approximately one mile below the

confluence of the Russian and Kenai Rivers downstream to Skilak Lake is closed to motorboats. However, any boat having a motor attached may drift or row through this section provided the motor is not operating.

(iv) Motors in excess of 10 horsepower are not authorized on the Moose, Swanson, Funny, Chickaloon (upstream of river mile 7.5), Killey, and Fox Rivers.

(v) A "no-wake" restriction applies to Engineer, Upper and Lower Ohmer, Bottenintnin, Upper and Lower Jean, Kelly, Petersen, Watson, Imeri, Afonasi, Dolly Varden, and Rainbow Lakes.

(vi) Notwithstanding any other provision of these regulations, operation of a motorboat is prohibited between May 1 and September 30, inclusive, on any lake where nesting trumpeter swans and/or their broods are present, except Windy and Lonesome Lakes where the closure is between May 1 and September 10, inclusive.

(3) *Off-Road Vehicles.* (i) The use of air cushion, airboat, or other motorized watercraft, except motorboats, is not allowed on the Kenai NWR, except as authorized by a special use permit from the Refuge Manager.

(ii) Off-road vehicle use, including operation on lake and river ice, is not permitted. Licensed highway vehicles are permitted on Hidden, Engineer, Kelly, Petersen, and Watson Lakes for ice fishing purposes only, and must enter and exit lakes via existing boat ramps.

(4) *Snowmobiles.* Operation of snowmobiles is authorized on the Kenai NWR subject to the following conditions and exceptions:

(i) Snowmobiles are permitted between December 1 and April 30 only when the Refuge Manager determines that there is adequate snowcover to protect underlying vegetation and soils. During this time, the Refuge Manager will authorize, through public notice, the use of snowmobiles less than 46 inches in width and less than 1,000 pounds (450 kg) in weight. Designated snowmobile areas are described on a map available from the Refuge Manager.

(ii) All areas above timberline, except Caribou Hills, are closed to snowmobile use.

(iii) The area within sections 5, 6, 7, and 8, T. 4 N., R. 10 W., S.M., AK., east of the Sterling Highway right-of-way, including the refuge headquarters complex, the environmental education/cross-country ski trails, Headquarters and Nordic lakes, and the area north of the east fork of Slikok Creek and northwest of a prominent seismic trail to Funny River Road, is closed to snowmobile use.

(iv) An area, including the Swanson River Canoe Route and portages, beginning at the Paddle Lake parking area, then west and north along the Canoe Lakes wilderness boundary to the Swanson River, continuing northeast along the river to Wild Lake Creek, then east to the west shore of Shoepac Lake, south to the east shore of Angler Lake, and west to the beginning point near Paddle Lake, is closed to snowmobile use.

(v) An area, including the Swan Lake Canoe Route, and several road-connected public recreational lakes, bounded on the west by the Swanson River Road, on the north by the Swan Lake Road, on the east from a point at the east end of Swan Lake Road south to the west bank of the Moose River, and on the south by the refuge boundary, is closed to snowmobile use.

(vi) Within the Skilak Loop Special Management Area, snowmobiles are prohibited, except on Hidden, Kelly, Petersen and Engineer lakes for ice fishing access only. Upper and Lower Skilak Lake campground boat launches may be used as access points for snowmobile use on Skilak Lake.

(vii) Snowmobiles may not be used on maintained roads within the refuge. Snowmobiles may cross a maintained road after stopping and when traffic on the roadway allows safe snowmobile crossing.

(viii) Snowmobiles may not be used for racing or for the harassment of wildlife.

(5) *Hunting and Trapping.* (i) Firearms may not be discharged within ¼ mile of designated public campgrounds, trailheads, waysides, buildings or the Sterling Highway from the east refuge boundary to the east junction of the Skilak Loop Road.

(ii) A special use permit, available from the Refuge Manager, is required prior to baiting black bears.

(iii) Hunting with the aid or use of a dog for taking big game is permitted only for black bear, and then only under the terms of a special use permit from the Refuge Manager.

(iv) Hunting and trapping within sections 5, 6, 7, and 8, T. 4 N., R. 10 W., S.M., AK., encompassing the Kenai NWR headquarters/visitor center and associated environmental education trails, are prohibited. The boundary of these administrative and environmental education areas is depicted on a map available from the Refuge Manager.

(6) *Fishing.* Fishing is prohibited June 1 to August 15, on the south bank of the Kenai River from the Kenai-Russian River Ferry dock to a point 100 feet downstream.

(7) *Other Public Uses.* (i) Camping is permitted on the Kenai NWR subject to the following restrictions:

(A) Camping may not exceed 14 days in any 30 day period anywhere on the refuge.

(B) Campers may not spend more than two consecutive days at the Kenai-Russian River access area, more than seven consecutive days at Hidden Lake Campground, or more than seven consecutive days in refuge shelters.

(C) Within developed campgrounds, camping is permitted only in designated areas and open fires are permitted only in Service-provided fire grates or portable, self-contained, metal fire grills.

(D) No camping is permitted within ¼ mile of the Sterling Highway, Ski Hill or Skilak Loop roads, except in designated campgrounds.

(E) Campers may cut only dead and down timber for campfire use.

(F) Pets in developed campgrounds are permited only on a leash no longer than nine feet.

(ii) Removal of timber, including the cutting of firewood for home use, is permitted only as authorized by a special use permit from the Refuge Manager.

(iii) Leaving personal property unattended longer than 72 hours is authorized only in designated areas or as authorized by a special use permit from the Refuge Manager.

(iv) Rock outcrop islands in Skilak Lake used by nesting cormorants and gulls and the adjacent waters within 100 yards are closed to public entry and use from March 15 to September 30. Maps showing these areas are available from the Refuge Manager.

(v) All radio transmitters, neck and leg bands, ear tags, or other research marking devices recovered from wildlife shall be turned in to the Refuge Manager or the Alaska Department of Fish and Game within five days after recovery.

(vi) Use of non-motorized wheeled vehicles is permitted only on refuge roads designated for public vehicular access.

(vii) The use of motorized equipment, including but not limited to, chainsaws, generators, and auxiliary power units, is not permitted within the Kenai Wilderness, except snowmobiles, airplanes, and motorboats in designated areas.

(viii) All canoeists on the Swanson River and Swan Lake Canoe Routes must register at entrance points. Maximum group size is 15 persons.

Dated: August 26, 1986.

William P. Horn,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 86-20448 Filed 9-10-86; 8:45 am]

BILLING CODE 4310-55-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 611 and 675

[Docket No. 60598-6098]

Foreign Fishing; Groundfish of the Bering Sea and Aleutian Islands Area

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Emergency interim rule; extension of effective date.

SUMMARY: The Secretary of Commerce extends an emergency rule amending regulations implementing the Fishery Management Plan for the Groundfish Fishery in the Bering Sea and Aleutian Islands Area (FMP) in effect through September 2, 1986. This extension is necessary to provide continued interim protection for crab species identified in the emergency rule. The emergency rule (1) prohibits domestic and foreign trawl fishing in a specified area of the Bering Sea, (2) establishes prohibited species catch (PSC) limits for two species of crab, and (3) provides for closing certain fisheries when the PSC limits are reached. This action is intended as a conservation measure based on the best available biological and socioeconomic information on the status of the groundfish fishery.

EFFECTIVE DATE: September 3, 1986, through December 2, 1986.

FOR FURTHER INFORMATION CONTACT: Jay J.C. Ginter (Resource Management Specialist, NMFS), 907-586-7229.

SUPPLEMENTARY INFORMATION: Under section 305(e) of the Magnuson Fishery Conservation and Management Act, the Secretary issued an emergency rule effective on June 3, 1986 (51 FR 20652, June 6, 1986), to protect certain depleted crab stocks. The reasons for these actions, which are discussed in the preamble to the emergency rule, still continue and are not repeated here. When the North Pacific Fishery Management Council originally recommended the emergency rule to the Secretary, it also recommended extension beyond the initial ninety-day period so that the maximum conservation benefits of the emergency rule would accrue during the 1986 fishing season.

The emergency rule is exempt from the normal review procedures of Executive Order 12291 as provided in section 8(a)(1) of that Order. This rule is being reported to the Office of Management and Budget, with an explanation of why it is not possible to follow procedures of that Order.

(16 U.S.C. 1801 *et seq.*)

List of Subjects

50 CFR Part 611

Fisheries, Foreign relations.

50 CFR Part 675

Fisheries.

Dated: September 5, 1986.

Carmen J. Blondin,

Deputy Assistant Administrator for Fisheries Resource Management, National Marine Fisheries Service.

[FR Doc. 86-20434 Filed 9-8-86; 11:25 am]

BILLING CODE 3510-22-M

50 CFR Part 662

[Docket No. 60731-6162]

Northern Anchovy Fishery

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Notice of final harvest quotas.

SUMMARY: NOAA issues this notice announcing the final determination of estimated spawning biomass and harvest quotas for the northern anchovy fishery in the fishery conservation zone (FCZ) for the 1986-1987 fishing season. The harvest quotas have been determined by application of the formulas in the Northern Anchovy Fishery Management Plan (FMP) and its implementing regulations. This action is intended to notify users of the final harvest quotas and to promote orderly management of the fishery.

EFFECTIVE DATE: August 1, 1986.

FOR FURTHER INFORMATION CONTACT: William L. Craig, Fishery Biologist, Southwest Region, NMFS, 300 South Ferry Street, Terminal Island, CA 90731, 213-514-6662.

SUPPLEMENTARY INFORMATION: In consultation with the California Department of Fish and Game and the Southwest Fisheries Center, NMFS, the Director, Southwest Region, NMFS (Regional Director) made preliminary determinations of the spawning biomass of the central subpopulation of northern anchovy *(Engraulis mordax)* and harvest quotas and special allocations for the 1986-87 anchovy fishing season. These preliminary determinations were announced in the **Federal Register** on July 23, 1986 (51 FR 26440). Regulations at § 662.20 require the publication of final determinations of harvest quotas by notice in the **Federal Register** on or about August 1 of each year. Regulations at 50 CFR 611.20(c) require that the estimated total allowable level of foreign fishing (TALFF) for this fishery also be published at the beginning of the fishing year.

The preliminary determinations were discussed and agreed to at public meetings of the Pacific Fishery Management Council (Council) on July 9, 1986, in Portland, Oregon. Public comment was invited in the announcement and at the Council meeting; no public comments were received. A more recent estimate of anchovy landings in Mexico has been published since the preliminary determinations were announced. These Mexican landings for 1985 increase the estimate of that country's excess catch of 56,900 metric tons (mt). This results in reducing TALFF from the 100,300 mt announced in the notice of preliminary determinations to 82,300 mt.

The Regional Director has made the following final determinations of harvest quotas for the 1986-87 fishing season, based on an estimated spawning biomass of 770,000 mt and applying the formulas in the FMP and in § 662.20 to calculate the harvest quotas, special allocations, and expected processing levels.

1. The total U.S. harvest quota of optimum yield (OY) is 144,900 mt plus an unspecified amount for use as live bait.

2. The total U.S. harvest quota for reduction purposes is 140,000 mt.

a. Of the total reduction harvest quota, 9,072 mt is reserved for the reduction fishery in subarea A (north of Pt. Buchon). The maximum reduction fishery in subarea A is the total reduction quota minus the amount taken in subarea B.

b. The reduction quota for subarea B (south of Pt. Buchon) is 130,928 mt. The reduction fishery in subarea B may be limited to less than this amount if more than 9,072 mt is taken in subarea A.

3. The U.S. harvest allocation for non-reduction fishing (i.e., fishing for anchovy for use as dead bait and direct human consumption) is 4,900 mt. However, non-reduction fishing is not limited until the total catch in the reduction and non-reduction fisheries reaches the total harvest quota of 144,900 mt.

4. There is no U.S. harvest limit for the live bait fishery.

5. The domestic annual processing (DAP) capacity for the reduction and non-reduction industry is 5,700 mt.

6. The domestic annual harvest (DAH) capacity for the reduction fishery is 5,700 mt.

7. The amount allocated to joint venture processing is zero because there is no history of, nor are there applications for, joint ventures.

8. The total allowable level of foreign fishing is 82,300 mt. The FMP states that TALFF in the FCZ will be based upon the U.S. portion of the OY minus the DAH and minus that amount of expected harvest in the Mexican fishery zone which is in excess of that allocated by the FMP. The current value of DAH combined with the estimated excess harvest in the Mexican fishery (56,900 mt) is less than the U.S. OY, resulting in this TALFF.

Other Matters

This action is taken under the authority of 50 CFR Parts 662 and 611.20 and complies with Executive Order 12291.

List of Subjects in 50 CFR 662

Fisheries.

(16 U.S.C. 1801 *et seq.*)

Dated: September 5, 1986.

Carmen J. Blondin,

Deputy Assistant Administrator For Fisheries Resource Management, National Marine Fisheries Service.

[FR Doc. 86-20435 Filed 9-10-86; 8:45 am]

BILLING CODE 3510-22-M

Proposed Rules

Federal Register
Vol. 51, No. 176
Thursday, September 11, 1986

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Part 332

Powers Inconsistent With Purposes of Federal Deposit Insurance Law

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Extension of deadline for consideration, adoption, and publication of final rule.

SUMMARY: This notice serves to extend the period of time which the FDIC may use under its internal policy statement for the consideration, adoption, and publication of the FDIC's final rule on participation by insured banks in real estate development and insurance underwriting activities.

DATE: The deadline for final agency action on the proposed rule is extended to March 15, 1987.

FOR FURTHER INFORMATION CONTACT: Pamela E. F. LeCren, Senior Attorney, Legal Division, (202) 898–3743, or Robert E. Feldman, Senior Attorney, Legal Division, (202) 898–3743, Federal Deposit Insurance Corporation, 550 17th Street NW., Washington, DC 20429.

SUPPLEMENTARY INFORMATION: The FDIC's Statement of Policy on Development and Review of Rules and Regulations (44 FR 31007 (1979)) states that it is the intention of the FDIC formally to withdraw any proposed regulations on which final action by the Board of Directors has not been taken within nine months from the date the regulation was last published for comment. The FDIC published on June 7, 1985, a proposed amendment to Part 332 of FDIC's regulations governing "Powers Inconsistent with the Purposes of Federal Deposit Insurance." (50 FR 23964 (June 7, 1985)). The proposed amendment would, among other things, prohibit insured banks, subject to certain exceptions, from directly engaging in real estate development and insurance underwriting activities and establish certain restrictions on the indirect conduct of such activities.

Pursuant to the FDIC's policy, final action on this proposed regulation should have been taken by March 7, 1986, in order to avoid withdrawal of the proposed rule. Inasmuch as FDIC staff was actively reviewing the June 7, 1985, proposal in the spring of this year and due to the then-recent appointments of two members of the FDIC's three member Board of Directors, the Board of Directors determined that additional time was necessary for the staff to complete its review and for the Board of Directors to familiarize itself with the subject matter dealt with by the proposal. As withdrawing the proposal and initiating the rulemaking process anew would have caused unnecessary delay, the Board of Directors determined to extend the deadline for final agency action on the proposed regulation to September 8, 1986. (51 FR 7077 (Feb. 28, 1986)).

At present, staff still requires additional time to evaluate the voluminous public record established throughout the course of this rulemaking. Further, additional time is warranted to allow the FDIC and the Board of Governors of the Federal Reserve System to attempt to coordinate the final action taken in this rulemaking with any final action taken by the Board of Governors in conjunction with its solicitation of public comment on real estate activities of bank holding companies and their subsidiaries. (*See* 50 FR 4519 (1985)). Therefore, the Board of Directors has determined to extend the deadline for final action on the proposed regulation until March 15, 1987, by publication of this notice.

By order of the Board of Directors.

Dated at Washington, DC, this 8th day of September, 1986.

Hoyle L. Robinson,

Executive Secretary.

[FR Doc. 86–20475 File 9–10–86; 8:45 am]
BILLING CODE 6714-01-M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 917

Public Comment and Opportunity for Public Hearing of a Modification to the Kentucky Permanent Regulatory Program

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSMRE), Interior.

ACTION: Proposed rule.

SUMMARY: OSMRE is announcing procedures for the public comment period and for a public hearing on the substantive adequacy of certain program amendments submitted by the Commonwealth of Kentucky as a modification to the Kentucky permanent program (hereinafter referred to as the Kentucky program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA).

The amendments pertain to remining and reclamation of previously affected areas and are intended to implement the provision of Kentucky Senate Bill No. 374 which was approved by OSMRE on July 18, 1986 (51 FR 26002). The proposed rules are also intended to address the requirement at 30 CFR 917.16(c)(2) that prior to implementation of Senate Bill 374, Kentucky must submit to the Director and obtain his approval of, regulatory amendments to implement the bill.

This notice sets forth the times and location that the Kentucky program and the proposed amendments are available for public inspection, the comment period during which interested persons may submit written comments on the proposed program elements, and the procedures that will be followed regarding the public hearing.

DATES: Written comments not received on or before October 14, 1986 will not necessarily be considered.

If requested, a public hearing on the proposed modifications will be held on October 6, 1986, beginning at 10:00 a.m. at the location shown below under **"ADDRESSES."**

ADDRESSES: Written comments should be mailed or hand delivered to: W. Hord Tipton, Director, Lexington Field Office, Office of Surface Mining Reclamation and Enforcement, 340 Legion Drive, Suite 28, Lexington, Kentucky 40504; Telephone: (606) 233–7327.

If a public hearing is held, its location will be: The Harley Hotel, 2143 North Broadway, Lexington, Kentucky 40505.

FOR FURTHER INFORMATION CONTACT: W. Hord Tipton, Director, Lexington Field Office, 340 Legion Drive, Suite 28, Lexington, Kentucky 40504; Telephone: (606) 233–7327.

SUPPLEMENTARY INFORMATION:

I. Public Comment Procedures

Availability of Copies

Copies of the Kentucky program, the proposed modifications to the program, a listing of any scheduled public meetings and all written comments received in response to this notice will be available for review at the OSMRE Offices and the Office of State regulatory authority listed below, Monday through Friday, 8:00 a.m. to 4:00 p.m., excluding holidays.

Lexington Field Office, Office of Surface Mining Reclamation and Enforcement, 340 Legion Drive, Suite 28, Lexington, Kentucky 40504.

Office of Surface Mining Reclamation and Enforcement, Room 5315A, 1100 L Street, NW., Washington, DC 20240.

Bureau of Surface Mining Reclamation and Enforcement, Capitol Plaza Tower, Third Floor, Frankfort, Kentucky 40601.

Written Comments

Written comments should be specific, pertain only to the issues proposed in this rulemaking, and include explanations in support of the commenter's recommendations. Comments received after the time indicated under **"DATES"** or at locations other than the Lexington, Kentucky Field Office, will not necessarily be considered and included in the Administrative Record for the final rulemaking.

Public Hearing

Persons wishing to comment at the public hearing should contact the person listed under **"FOR FURTHER INFORMATION CONTACT"** by the close of business ten working days before the date of the hearing. If no one requests to comment at the public hearing, the hearing will not be held.

If only one person requests to comment, a public meeting, rather than a public hearing, may be held and the results of the meeting included in the Administrative Record.

Submission of written statements at the time of the hearing is requested and will greatly assist the transcriber.

Submission of written statements in advance of the hearing will allow OSMRE officials to prepare appropriate questions.

The public hearing will continue of the specified date until all persons scheduled to comment have been heard. Persons in the audience who have not been scheduled to comment and wish to do so will be heard following those scheduled. The hearing will end after all persons scheduled to comment and persons present in the audience who wish to comment, have been heard.

Public Meeting

Persons wishing to meet with OSMRE representatives to discuss the proposed amendment may request a meeting at the OSMRE office listed under **"ADDRESSES"** by contacting the person listed under **FOR FURTHER INFORMATION CONTACT."**

All such meetings are open to the public and if possible, notices of meetings will be posted in advance in the Administrative Record. A written summary of each public meeting will be made a part of the Administrative Record.

II. Background of the Kentucky State Program

On December 30, 1981, Kentucky resubmitted its proposed regulatory program to OSMRE. On April 13, 1982, following a review of the proposed program as outlined in 30 CFR Part 732, the Secretary approved the program subject to the correction of 12 minor deficiences. The approval was effective upon publication of the notice of conditional approval in the May 18, 1982 **Federal Register** (47 FR 21404–21435).

Information pertinent to the general background, revisions, modifications, and amendments to the proposed permanent program submission, as well as the Secretary's findings, the disposition of comments and a detailed explanation of the conditions of approval of the Kentucky program can be found in the May 18, 1982 **Federal Register** notice. Subsequent action concerning the conditions of approval and program amendments are identified in 30 CFR 917.11, 917.15, 917.16 and 917.17.

III. Submission of Program Amendments

On July 29, 1986, Kentucky submitted to OSMRE, pursuant to 30 CFR 732.17, certain revisions to the Kentucky regulatory program. The revisions are intended to implement Kentucky Senate Bill No. 374 which was approved by the Director, OSMRE, on July 18, 1986 (51 FR 26002). The proposed rules are also intended to address the requirement at 30 CFR 917.16(c)(2) which states that Kentucky is required, prior to implementation of Senate Bill 374, to submit to the Director proposed regulations to implement the bill and to receive the Director's approval of the regulations.

The revisions modify sections of the Kentucky Administrative Regulations (KAR) at 405 KAR 16:070, 405 KAR 18:070, 405 KAR 8:060 and 405 KAR 20:090 as summarized briefly below.

1. Kentucky proposes to amend 405 KAR 16:070 and 18:070, water quality standards and effluent limitations for surface mines and underground mines, respectively. Kentucy proposes to add paragraph (f)2 to section 1(1) of these rules to exempt sediment pond effluents from U.S. Environmental Protection Agency (EPA) effluent limitations in 40 CFR 434, under certain circumstances. Kentucky proposes to add paragraph (g)2 to section 1(1) concerning discharges of water from areas disturbed by mining activities which contain preexisting pollutional water discharges.

2. Kentucky proposes to add a new regulation 405 KAR 8:060, to set forth permit application requirements for secondary coal recovery operations. The rule would include sections for applicability (all applications for permits to conduct secondary coal recovery operations); definitions; general provisions; legal, financial and compliance information; environmental resources information; maps, drawings and cross-sections; mining and reclamation plan; and performance bond. A secondary coal recovery operation would be defined as an activity "in which coal is extracted from abandoned coal refuse piles, coal slurry ponds, or other abandoned materials containing coal which is not in its original geologic locations; and the washing, crushing; screening, or other chemical or physical processing of such coal."

3. Kentucky proposes to add a new regulation, 405 KAR 20:090, to establish performance standards to apply to all secondary coal recovery operations. The applicability section of the rule proposes that requirements of 405 KAR Chapters 16, 18 and 20 (the approved program performance standards for surface mines, underground mines and special categories) would not apply to such secondary coal recovery operations except as specifically stated in the rule. The rule would establish separate hydrologic protection requirements, requirements for backfilling and grading and revegetation standards for secondary coal recovery operations.

Therefore, the Director, OSMRE, is seeking public comment on the adequacy of the proposed program amendments. Comments should specifically address the issues of whether the proposed amendments are in accordance with SMCRA and no less effective than its implementing regulations.

IV. Additional Determinations

1. Compliance with the National Environmental Policy Act

The Secretary has determined that, pursuant to section 702(d) of SMCRA, 30 U.S.C. 1292(d), no environmental impact statement need be prepared on this rulemaking.

2. Executive Order No. 12291 and the Regulatory Flexibility Act

On August 28, 1981, the Office of Management and Budget (OMB) granted OSMRE an exemption from sections 3, 4, 7 and 8 of Executive Order 12291 for actions directly related to approval or conditional approval of State regulatory programs. Therefore, this action is exempt from preparation of a Regulatory Impact Analysis and Regulatory review by OMB.

The Department of the Interior has determined that this rule would not have significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This rule would not impose any new requirements; rather, it would ensure that existing requirements established by SMCRA and the Federal rules would be met by the State.

3. Paperwork Reduction Act

This rule does not contain information collection requirements which require approval by the Office of Management and Budget under 44 U.S.C. 3507.

List of Subjects in 30 CFR 917

Coal mining, Intergovernmental relations, Surface mining, Underground mining.

Dated: September 4, 1986.

James W. Workman,

Deputy Director, Operations and Technical Services.

[FR Doc. 86-20482 Filed 9-10-86; 8:45 am]

BILLING CODE 4310-05-M

---

30 CFR Part 948

Extension of Deadlines for the West Virginia Permanent Regulatory Program

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSMRE), Interior.

ACTION: Proposed rule.

SUMMARY: OSMRE is announcing procedures for a public comment period and hearing on a request from the State of West Virginia to extend the deadlines for submission of a number of required amendments to its permanent regulatory program (hereinafter referred to as the West Virginia program). This notice sets forth the times and locations that the West Virginia program and request for extension are available for public inspection, the comment period during which interested persons may submit written comments on the proposed extensions, and the procedures that will be followed regarding the public hearing, if requested.

DATES: Written comments relating to the proposed extensions must be received on or before 4:00 p.m. on October 14, 1986, to be considered. A public hearing on the proposal will be held upon request on October 1, 1986. Any person interested in making an oral or written presentation at the hearing should contact Mr. James C. Blankenship, Jr. at the OSMRE Charleston Field Office by the close of business on or before September 26, 1986. If no one has contacted Mr. Blankenship to express an interest in participating in the hearing by that date, the hearing will not be held. If only one person has so contacted Mr. Blankenship, a public meeting, rather than a hearing, may be held and the results of the meeting included in the West Virginia administrative record.

ADDRESSES: Written comments should be mailed or hand delivered to: Office of Surface Mining Reclamation and Enforcement, Charleston Field Office, Attention: West Virginia Administrative Record, 603 Morris Street, Charleston, West Virginia 25301.

Copies of the extension request (Administrative Record No. WV 709), the West Virginia program, and the administrative record on the West Virginia program are available for public review and copying at the OSMRE offices and the office of the State regulatory authority listed below, Monday through Friday, 9:00 a.m. to 4:00 p.m., excluding holidays. Each requester may receive, free of charge, one copy of the proposed program amendments by contacting the OSMRE Charleston Field Office.

Office of Surface Mining Reclamation and Enforcement, Charleston Field Office, 603 Morris Street, Charleston, West Virginia 25301, Telephone: (304) 347-7158

Office of Surface Mining Reclamation and Enforcement, 1000 L Street, NW., Room 5315, Washington, DC 20240, Telephone: (202) 343-5492

Office of Surface Mining Reclamation and Enforcement, Morgantown Area Office, 75 High Street, Room 229, Morgantown, West Virginia 26505, Telephone: (304) 291-4004

West Virginia Department of Energy, 1615 Washington Street, East, Charleston, West Virginia 25305, Telephone: (304) 348-3267.

FOR FURTHER INFORMATION CONTACT: James C. Blankenship, Jr., Director, Charleston Field Office, Office of Surface Mining Reclamation and Enforcement, 603 Morris Street, Charleston, West Virginia 25301, Telephone: (304) 347-7158.

SUPPLEMENTARY INFORMATION:

I. Background on the West Virginia Program

On March 3, 1980, West Virginia submitted its proposed permanent regulatory program, which the Secretary of the Interior disapproved on October 22, 1980, following a review in accordance with 30 CFR Part 732 (45 FR 69249-69271). On December 19, 1980, West Virginia resubmitted its proposed program, which the Secretary approved on January 21, 1981. Information concerning the general background of the permanent program submission, as well as the Secretary's findings, the disposition of comments and an explanation of the initial conditions of approval of the West Virginia program, can be found in the January 21, 1981 **Federal Register** (46 FR 5915-5956). Subsequent actions concerning proposed amendments and the conditions of approval are codified at 30 CFR 948.11, 948.12, 948.13, 948.15 and 948.16.

II. Submission of Extension Request

The July 11, 1985 **Federal Register** contained two notices announcing the approval, with certain exceptions, of two sets of program amendments submitted by West Virginia (50 FR 28316-28342). In his decision concerning the West Virginia Energy Act, the Director required that, no later than March 15, 1986, West Virginia submit copies of statutory revisions to correct or otherwise eliminate nine grammatical, codification and reference citation errors, as listed at 30 CFR 948.16(c).

In his decision concerning the second amendment package, which contained revised regulations and associated materials, the Secretary removed nine conditions of program approval and revised the six remaining conditions as codified at 30 CFR 948.11(a)(1), (8), (19),

(38), (39) and (41). As revised, the conditions require that, by January 11, 1986, West Virginia submit additional proposed amendments to correct deficiencies concerning stability analyses for coal mine waste piles, inspection requirements for coal mine waste piles, inspection requirements for coal mine waste disposal areas, compliance information requirements for permit applications, critical habitats of threatened and endangered species with respect to coal exploration permit applications, revegetation success standards and evaluation techniques, and the issuance of show cause orders for patterns of violations.

By letter of November 5, 1985, West Virginia submitted draft proposed changes designed to address these conditions and required amendments as well as certain provisions of the amendments originally found inconsistent with Federal requirements (Administrative Record No. WV 705). By letter of December 10, 1985, OSMRE notified the State that, while the proposed changes themselves appeared to be acceptable, additional materials were needed to fully satisfy all outstanding concerns (Administrative Record No. WV 706). On February 10, 1986, West Virginia notified OSMRE that because of legislative scheduling problems, it would be unable to meet the January 11, 1986 deadline for addressing the conditions and that it would probably be unable to meet the March 15, 1986 deadline for the required statutory amendments (Administrative Record No. WV 707). The letter further stated that, if the legislature failed to act on the proposed regulatory changes, emergency regulations would be filed to address the conditions.

On March 15, 1986, the 1986 session of the legislature adjourned without acting upon the proposed amendments. On May 27, 1986, OSMRE requested that the State proceed with promulgation of emergency regulations and supply a new schedule for final resolution of all requirements. On June 30, 1986, West Virginia responded that the legislature had revised the procedures and restricted the cricumstances under which emergency regulations could be filed, and that it did not believe the current situation justified an emergency filing (Administrative Record No. WV 709). Furthermore, the letter stated a desire to address those issues as part of the regulatory reform review process, rather than submitting them to the legislature as an amendment package separate from the changes which will be needed as a result of that process. To provide adequate time for preparation and consideration by the 1987 session of the legislature, West Virginia requested that the submission deadlines for both the conditions and the required amendments be extended until April 15, 1987.

In consideration of the legislative schedule and the State requirement for legislative approval of all permanent regulations, and in the interest of consolidation of the rulemaking process, the Secretary is proposing to grant the State's request. In accordance with the provisions of 30 CFR 732.17, he is now seeking comment on this proposed extension.

III. Additional Determinations

1. Compliance with the National Environmental Policy Act:

The Secretary has determined that pursuant to section 702(d) SMCRA, 30 U.S.C. 1292(d), no environmental impact statement need be prepared on this rulemaking.

2. Executive Order No. 12291 and the Regulatory Flexibility Act

On August 28, 1981, the Office of Management and Budget (OMB) granted OSMRE an exemption from sections 3, 4, 7, and 8 of Executive Order 12291 for actions directly related to approval or conditional approval of State regulatory programs. Therefore, this section is exempt from preparation of a Regulatory Impact Analysis and regulatory review by OMB. The Department of the Interior has determined that this rule would not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

This rule would not impose any new requirements; rather, it would ensure that existing requirements established by SMCRA and the Federal rules will be met by State.

3. Paperwork Reduction Act

This rule does not contain information collection requirements which require approval by the Office of Management and Budget under 44 U.S.C. 3507.

List of Subjects in 30 CFR Part 948

Coal mining, Intergovernmental relations, Surface mining, Underground mining.

Dated: September 4, 1986.

James W. Workman,

Deputy Director, Operations and Technical Services, Office of Surface Mining Reclamation and Enforcement.

[FR Doc. 86-20483 Filed 9-10-86; 8:45 am]

BILLING CODE 4310-05-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD02 85-27]

Drawbridge Operation Regulations; Black River and Ouachita River, LA

AGENCY: Coast Guard, DOT.

ACTION: Cancellation of rulemaking.

SUMMARY: The Coast Guard is withdrawing a proposed rule to change the regulations governing the operation of the following 3 bridges:

(1) The swing span bridge over the Black River, Mile 40.9, on U.S. 84 at Jonesville, Concordia Parish;

(2) The swing span bridge over Ouachita River, Mile 57.5, on Louisiana 8 at Harrisonburg, Catahoula Parish;

(3) The lift span bridge over the Ouachita River, Mile 110.1, on U.S. 165 at Columbia, Caldwell Parish.

At the request of the Louisiana Department of Transportation and Development (LDOTD), the Coast Guard was considering a change that would have required the draws of the 3 bridges to open after receipt of at least 4 hours advance notice. These bridges are presently required to open at all times after receipt of at least one hour's advance notice. The change was requested because of a decrease in bridge openings during the period 1980 through 1984. The proposal is being withdrawn because public comments indicated that the change would not serve the needs of existing and prospective navigation.

FOR FURTHER INFORMATION CONTACT: Roger K. Wiebusch, Bridge Administrator, Second Coast Guard District, (314) 425-4607.

SUPPLEMENTARY INFORMATION: On August 5, 1985, the Coast Guard published a Notice of Proposed Rulemaking (50 FR 31627) to revise these regulations. The Commander, Second Coast Guard District also published the proposal in a Public Notice dated August 7, 1985. In each notice interested parties were given until 19 September 1985 to submit comments.

Drafting Information

The drafters of this withdrawal notice are Roger K. Wiebusch, project officer, and Lieutenant R.E. Kilroy, project attorney.

Discussion of Comments

There were no responses to the **Federal Register** publication. Thirteen (13) firms or community organizations

responded to the Public Notice.[1] One company offered no objection; the remaining firms and organizations opposed the change due to lack of adequate communications capabilities, difficulty in estimating arrival times, and the potential for restricting economic development of communities dependent on river transportation for shipping regional commodities. After reviewing these comments, LDOTD has decided not to pursue its proposal to change the operation regulations for the 3 bridges at Jonesville, Harrisonburg, and Columbia, Louisiana.

List of Subjects in 33 CFR Part 117

Bridges.

Accordingly, the proposed rule published in the **Federal Register** (50 FR 31627) on August 5, 1985, is hereby withdrawn.

Dated: August 26, 1986.

J.D. Webb,

Captain, U.S. Coast Guard, Commander, Second Coast Guard District, Acting.

[FR Doc. 86-20477 Filed 9-10-86; 8:45 am]

BILLING CODE 4910-14-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 86-353, RM-5486]

Radio Broadcasting Services; Hardin, MT

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition filed by California Broadcast Group, proposing the substitution of FM Class C Channel 238 for Channel 237A at Hardin, Montana, and modification of the license for Station KATM(FM) at Hardin to specify the higher class of channel. This proposal could provide a first wide coverage area station to Hardin.

DATES: Comments must be filed on or before October 27, 1986, and reply comments on or before November 12, 1986.

ADDRESS: Federal Communications Commission, Washington, DC 20554.

In addition to filing comments with the FCC, interested parties should serve the petitioner, or their counsel or consultant as follows: Michael J. Wilhelm, Verner, Liipfert, Bernhard, McPherson and Hand, Chartered; 1660 L Street NW., Suite 1000, Washington, DC 20036 (Counsel to the petitioner).

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 86-353, adopted August 14, 1986, and released September 3, 1986. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, (202) 857-3800, 2100 M Street NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1231 for rules governing permissible *ex parte* contact.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Charles Schott,

Chief, Policy and Rules Division Mass Media Bureau.

[FR Doc. 86-20471 Filed 9-10-86; 8:45 am]

BILLING CODE 6712-01-M

GENERAL SERVICES ADMINISTRATION

48 CFR Part 542

General Services Administration Acquisition Regulation

AGENCY: Office of Acquisition Policy, GSA.

ACTION: Notice of Proposed rulemaking.

SUMMARY: This notice invites written comments on a proposed change to the General Services Administration Acquisition Regulation (GSAR) which would revise Part 542 to add Subpart 542.70 to provide guidance to contracting officers on dealing with situations where a contractor is experiencing financial difficulty, has filed for bankruptcy, or is dissolving its business. The intended effect is to improve the regulatory coverage and provide uniform procedures for contracting under the regulatory system.

DATE: Comments are due in writing on or before October 14, 1986.

ADDRESS: Requests for a copy of the proposal and comments should be addressed to: Ms. Marjorie Ashby, Office of GSA Acquisition Policy and Regulations, 18th and F Streets, NW, Room 4026, Washington, DC. 20405, (202) 523-3822.

FOR FURTHER INFORMATION CONTACT: Mr. Joseph Spagnola, Jr., Office of GSA Acquisition Policy and Regulations, 18th and F Streets, NW, Room 4031, Washington, DC 20405, (202) 523-4768.

SUPPLEMENTARY INFORMATION: The Director, Office of Management and Budget (OMB), by memorandum dated December 14, 1984, exempted certain procurement regulations from Executive Order 12291. The exemption applies to this proposed rule. The GSA certifies that this document will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et. seq.). The proposed rule simply elaborates on existing regulations to provide additional guidance to GSA contracting officers on handling situations where a contractor is experiencing financial difficulty, has filed for bankruptcy, or is dissolving its business. Therefore, no flexibility analysis has been prepared. The rule does not contain information collection requirements which require the approval of OMB under the Paperwork Reduction Act (44 U.S.C. 3501 et. seq.).

List of Subjects in 48 CFR Part 542

Government procurement.

Dated: September 4, 1986.

Ida M. Ustad,

Director, Office of GSA Acquisition Policy and Regulations.

[FR Doc. 86-20501 Filed 9-10-86; 8:45 am]

BILLING CODE 6820-61-M

DEPARTMENT OF ENERGY

Office of the Secretary

48 CFR Part 970

Acquisition Regulation Concerning Management and Operating Contracts

AGENCY: Office of the Secretary, Energy.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Department of Energy (DOE) proposes to amend the Department of Energy Acquisition Regulation (DEAR) in order to describe the contractor employee travel expense

limitations that will apply to DOE's management and operating (M&O) contracts as established for Federal executive agency contractors under the Federal Civilian Employee and Contractor Travel Expense Act of 1985 (Pub. L. 99–234).

DATE: Written comments should be submitted no later than October 14, 1986.

ADDRESS: Comments should be addressed to: U.S. Department of Energy, Rudolph J. Schuhbauer, Business and Financial Policy Branch (MA–421.2), 1000 Independence Avenue SW., Washington, DC 20585.

FOR FURTHER INFORMATION CONTACT:

Rudolph J. Schuhbauer, Business and Financial Policy, Branch (MA–421.2), Procurement and Assistance Management Directorate, Washington, DC 20585, (202)252–8173.

Paul Sherry, Office of the Assistant General Counsel for Procurement and Finance (GC–34), Department of Energy, Washington, DC 20585, (202)252–1526.

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Background.
II. Procedural requirements.
A. Review under Executive Order 12291.
B. Review under the Regulatory Flexibility Act.
C. Paperwork Reduction Act.
D. National Environmental Policy Act.
E. Public Hearing.
III. Public Comments.

I. Background

Under Section 644 of the Department of Energy) Organization Act, Pub. L. 95–91 (42 U.S.C. 7254), the Secretary of Energy is authorized to prescribe such procedural rules and regulations as may be deemed necessary or appropriate to accomplish the functions vested in that position. Accordingly, the DEAR was promulgated with an effective date of April 1, 1984 (49 FR 11922, March 28, 1984), 48 CFR Chapter 9.

Title II, Section 201 of the Federal Civilian Employee and Contractor Travel Expense Act of 1985, hereafter referred to as the "Act," specified ". . . costs incurred by contractor personnel for travel, including costs of lodging, other subsistence, and incidental expenses, shall be considered to be reasonable and allowable only to the extent that they do not exceed the rates and amounts set by Subchapter I of Chapter 57 of title 5, United States Code, or by the Administrator of General Services or the President (or his designee) pursuant to any provision of such subchapter." To implement these requirements the Federal Acquisition Regulation (FAR) Council amended the FAR cost principles applicable to commercial organizations; i.e., FAR 31.205–46, Travel costs (51 FR 27488, 7–31–86).

The revisions being proposed today by DOE would, when issued as a final rule, apply the provisions of the Act to DOE's M&O contractors. DOE's proposed cost principle amendment to DEAR 970.3102–17, Travel costs, states that payments for lodging, meals, and incidental expenses incurred by M&O contractor personnel while performing contract requirements shall be considered to be reasonable and allowable contract cost to the extent that they do not exceed the maximum per diem rate limitations set forth in the (1) Federal Travel Regulations, (2) Joint Travel Regulations, or (3) Standardized Regulations (Government Civilians, Foreign Areas). DOE's proposed revision also provides for special or unusual situations where actual costs in excess of the maximum per diem limits, as authorized for Federal civilian employees, may be allowed under M&O contracts. Advance agreements regarding the M&O contractor's implementation of the required travel cost limitations are also provided for in this proposed rule.

The proposed amendments to the clauses cited at DEAR 970.5204.13, Allowable cost and fixed-fee (CPFF management and operating contracts), and DEAR 970.5204–14, Allowable cost and fixed fee (support contracts), provide that payments to M&O contractor employees for lodging, meals and incidental expenses shall be reasonable and allowable contract cost to the extent they do not exceed the rates and amounts established for Federal employees.

The proposed amendments will become effective upon publication of the final rule in the **Federal Register.**

II. Procedural Requirements

A. Review Under Executive Order 12291

The Executive order, entitled "Federal Regulations," requires that certain regulations be reviewed by the Office of Management and Budget (OMB) prior to their promulgation. OMB Bulletin 85–7 exempts all but certain types of procurement regulations from such review. This proposed rule does not involve any of the topics requiring prior review under the bulletin and is accordingly exempt from such review.

B. Review Under the Regulatory Flexibility Act

This proposed rule was reviewed under the Regulatory Flexibility Act of 1980, Pub. L. 96–354, which requires preparation of a regulatory flexibility analysis for any rule which is likely to have significant economic impact on a substantial number of small entities. This rule will have no impact on interest rates, tax policies or liabilities, the costs of goods or services or other direct economic factors. It will not have a significant economic impact on a substantial number of small entities and therefore, no regulatory flexibility analysis has been prepared.

C. Paperwork Reduction Act

This proposed rule may impose some additional recordkeeping requirements. Since the information collected moves directly from the contractor to the General Services Administration (GSA), responsibility for recordkeeping and paperwork burden remains with GSA. DOE has requested an OMB control number from GSA.

D. National Environmental Policy Act

DOE has concluded that promulgation of this rule would not represent a major Federal action having significant impact on the human environment under the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 432, *et seq.*, 1976), or the Council on Environmental Quality regulations (40 CFR Part 1020), and therefore does not require an environmental impact statement or an environmental assessment pursuant to NEPA.

E. Public Hearing

The Department has concluded that this proposed rule does not involve a substantial issue of fact or law and that the proposed rule should not have a substantial impact on the nation's economy or large numbers of individuals or businesses. Therefore, pursuant to Pub. L. 95–91, the DOE Organization Act, the Department does not plan to hold a public hearing on this proposed rule.

III. Public Comments

Interested persons are invited to participate by submitting data, views or arguments with respect to the proposed DEAR amendments set forth in this notice. All written comments received will be carefully assessed and fully considered prior to publication of the proposed amendment as a final rule.

List of Subjects in 48 CFR Part 970

Government procurement.

For the reasons set out in the preamble, Chapter 9 of Title 48 of the Code of Federal Regulations is proposed to be amended as set forth below.

Issued in Washington, DC on September 4, 1986.

Berton J. Roth,

Director, Procurement and Assistance Management Directorate.

PART 970—MANAGEMENT AND OPERATING CONTRACTS

1. The authority citation for Part 970 continues to read as follows:

Authority: Sec. 161 of the Atomic Energy Act of 1954 (42 U.S.C. 2201), and Sec. 644 of the Department of Energy Organization Act, Pub. L. 95-91 (42 U.S.C. 7254).

2. Subsection 970.3102-17(c) is proposed to be added as follows:

970.3102-17 Travel costs.

* * * * *

(c) *Lodging, meals and incidental expenses.* (1) Costs for lodging, meals, and incidental expenses incurred by management and operating (M&O) contractor personnel traveling on official business in the performance of contract work are allowable costs but subject to the limitations set forth in this subsection. Payments for lodging, meals, and incidental expenses may be based on per diem, actual expenses, or a combination thereof, provided the method used results in a reasonable cost to DOE.

(2) Except as provided in paragraph (c)(3) of this subsection, M&O contractor payments for lodging, meals, and incidental expenses (as defined in the regulations cited in paragraphs (c)(2) (i) through (iii) of this subsection shall be considered to be reasonable and allowable cost only to the extent that they do not exceed, on a daily basis, the maximum per diem rates in effect at the time of travel as set forth in the:

(i) Federal Travel Regulations, prescribed by the General Services Administration, for travel in the conterminous 48 United States;

(ii) Joint Travel Regulations, Volume 2, DOD Civilian Personnel, Appendix A, prescribed by the Department of Defense, for travel in Alaska, Hawaii, the Commonwealth of Puerto Rico, and territories and possessions of the United States; or

(iii) Standardized Regulations (Government Civilians, Foreign Areas), Section 925, "Maximum Travel Per Diem Allowances for Foreign Areas," prescribed by the Department of State, for travel in areas not covered in paragraphs (c)(2) (i) and (ii) of this subsection.

(3) In special or unusual situations, M&O contractor personnel may be paid for actual expenses in excess of the above-referenced maximum per diem rates provided such payments do not exceed the higher amounts authorized for Federal civilian employees as permitted in the regulations referenced in paragraph (c)(2) (i), (ii) or (iii) of this subsection and all of the following conditions are met:

(i) One of the conditions warranting approval of the actual expense method, as set forth in the regulations referenced in paragraph (c)(2) (i), (ii) or (iii) of this subsection exist.

(ii) A written justification for payment of the higher amounts is approved by an officer or appropriate official of the M&O contractor's organization.

(iii) Documentation exists to support the payment of actual expenses incurred and each employee expenditure in excess of $25.00 is supported by a receipt. The approved justification required by paragraph (c)(3)(ii) of this subsection and, if applicable, DOE advance approvals required under paragraph (c)(5) of this subsection must also be retained.

(4) Paragraphs (c)(2) and (c)(3) of this section do not incorporate the regulations cited in paragraphs (c)(2) (i), (ii) and (iii) of this subsection in their entirety. Only the coverage in the referenced regulations dealing with special or unusual situations, the maximum per diem rates and the definitions of lodging, meals and incidental expenses are to be applied to M&O contractors.

(5) An advance agreement with respect to compliance with paragraphs (c)(2) and (c)(3) of this subsection will be established in the personnel appendix of the M&O contract. The M&O contractor shall also be required to obtain advance approval from DOE, if it becomes necessary for the contractor to exercise the authority to make payments based on the higher actual expense method repetitively or on a continuing basis in a particular area. It is not intended that individual contractor authorizations to pay actual expenses in excess of applicable maximum per diem rates be approved in advance by DOE. Such before the fact case-by-case approvals should only be invoked when the M&O contractor does not have acceptable travel cost policies, procedures or practices in effect.

3. In subsection 970.5204-13 the clause is proposed to be amended by adding new subparagraph (e)(35) to read as follows:

970.5204-13 Allowable costs and fixed-fee (CPFF management and operating contracts).

* * * * *

(e) * * *

(35) Contractor employee travel costs incurred for lodging, meals and incidental expenses which exceed on a daily basis the applicable maximum per diem rates in effect for Federal civilian employees at the time of travel. When the applicable maximum per diem rate is inadequate due to special or unusual situations, the contractor may pay employees for actual expenses in excess of such per diem rate limitation. To be allowable, however, such payments must be properly authorized by an officer or appropriate official of the contractor and shall not exceed the higher amounts that may be authorized for Federal civilian employees in a similar situation.

4. In subsection 970.5204-14 the clause is proposed to be amended by adding new subparagraph (e)(33) to read as follows:

970.5204-14 Allowable costs and fixed-fee (support contracts).

* * * * *

(e) * * *

(33) Contractor employee travel costs incurred for lodging, meals and incidental expenses which exceed on a daily basis the applicable maximum per diem rates in effect for Federal civilian employees at the time of travel. When the applicable maximum per diem rate is inadequate due to special or unusual situations, the contractor may pay employees for actual expenses in excess of such per diem rate limitation. To be allowable, however, such payments must be properly authorized by an officer or appropriate official of the contractor and shall not exceed the higher amounts that may be authorized for Federal civilian employees in a similar situation.

[FR Doc. 86-20433 Filed 9-10-86; 8:45 am]

BILLING CODE 6450-01-M

Notices

Federal Register
Vol. 51, No. 176
Thursday, September 11, 1986

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

1986 Crop Soybeans

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Notice of Preliminary Determinations with respect to 1986 Crop Soybeans.

SUMMARY: The purpose of this notice is to announce that the preliminary level of price support for the 1986 soybean crop is $4.77 per bushel and that marketing loans will not be made with respect to such crop. These determinations are made pursuant to section 201(i) of the Agricultural Act of 1949, as amended (the "1949 Act").

EFFECTIVE DATE: August 29, 1986.

FOR FURTHER INFORMATION CONTACT: Orville I. Overboe, Agricultural Economist, Analysis Division, ASCS–USDA, P.O. Box 2415, Washington, DC 20013, Telephone (202)447–4417.

SUPPLEMENTARY INFORMATION: This notice has been reviewed under USDA procedures established in accordance with Executive Order 12291 and Departmental Regulation No. 1512–1 and has been designated "not major." It was designated "not major" because it will not result in: (1) An annual effect on the economy of $100 million or more; (2) major increases in costs or prices for consumers, individual industries, Federal, State or local Government agencies, or geographic regions; or (3) significant adverse impacts on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign based enterprises in domestic or export markets.

The title and number of the federal assistance program to which this notice applies are: Title—Commodity Loans and Purchases; Number—10.051 as found in the Catalog of Federal Domestic Assistance.

Section 1017 of the Food Security Act of 1985 provides that the Secretary of Agriculture shall determine the loan and purchase levels for any of the 1986 through 1990 crops without regard to the requirements for notice and public participation. Accordingly, public comments are not requested.

It has been determined that the Regulatory Flexibility Act is not applicable to this notice since the Commodity Credit Corporation is not required by 5 U.S.C. 553 or any other provision of law to publish a notice or proposed rulemaking with respect to the subject matter of this notice. A preliminary impact analysis has been prepared and is available from the above named individual.

Section 201(i)(1)(A) of the 1949 Act provides that the price of soybeans for each of the 1986 through 1990 marketing years shall be supported through loans and purchases. Section 201(i)(1)(D) provides that the support price for the 1986 and 1987 crops of soybeans shall be $5.02 per bushel. However, if the Secretary of Agriculture determines in accordance with section 201(i)(2) that the level of loans or purchases determined for a marketing year would discourage the exportation of soybeans and cause excessive stocks of soybeans in the United States, the Secretary may reduce the loan and purchase level for soybeans by the amount the Secretary determines necessary to maintain domestic and export markets for soybeans, except that the price support level cannot be reduced by more than 5 percent in any year nor below $4.50 per bushel. Any reduction made in accordance with section 201(i)(2) in the loan and purchase level for soybeans shall not be considered in determining the loan and purchase level for soybeans for subsequent years.

Section 201(i)(5) of the 1949 Act provides that the Secretary shall make a preliminary announcement of the level of price support for a crop of soybeans not earlier than 30 days prior to September 1, the beginning of the soybean marketing year, based upon the latest information and statistics then available. The Secretary must make a final announcement of such level as soon as full information and statistics are available on prices for the five years preceding the beginning of the marketing year for which the level of support is determined. The final level of the price support must be announced no later than October 1 of the marketing year to which the announcement is applicable. The final level of support cannot be less than that of the preliminary announcement.

Ending stocks of soybeans for the 1985–86 marketing year are expected to be approximately 515 million bushels, an amount considered to be excessive. Maintaining the price level for the 1986 crop of soybeans at $5.02 per bushel would likely result in ending stocks of approximately 535 million bushels for the 1986–1987 marketing year since such a level would discourage the exportation of soybeans and, to a lesser degree, result in lower domestic use of soybeans. Based upon 1986 estimated production of soybeans, it is estimated that a $4.77 per bushel price support level would result in ending stocks of approximately 515 million bushels for the 1986–1987 marketing year. As compared to a $5.02 per bushel price support level, a $4.77 per bushel price support level would increase the export of soybeans about 2 percent and also increase slightly the domestic use of soybeans. The price support level for the 1986 crop of corn has been established at $1.92 per bushel. Establishing a 1986 soybean price support level of $5.02 per bushel, based upon a $1.92 per bushel price support level for corn, would result in an adverse distortion of the historical corn/soybean price relationship and result in an adverse impact on the use of soybeans. However, a 1986 soybean price support level of $4.77 per bushel would better maintain this normal corn/soybean price relationship. Accordingly, the preliminary 1986-crop soybean price support level is reduced to $4.77 per bushel, which is 5 percent less than the price support level of $5.02 per bushel which was established for the 1985 crop of soybeans.

Section 201(i)(3) of the 1949 Act provides that, if the Secretary determines that such action will assist in maintaining the competitive relationship of soybeans in domestic and export markets after taking into consideration the cost of producing soybeans, supply and demand conditions, and world prices for soybeans, the Secretary may permit a producer to repay a loan for a crop at a level that is the lesser of (1) the

announced loan level for such crop or (2) the prevailing world market price for soybeans, as determined by the Secretary. If the Secretary permits a producer to repay a loan as described above, the Secretary shall prescribe by regulation (1) a formula to define the prevailing world market price for soybeans and (2) a mechanism by which the Secretary shall announce periodically the prevailing world market price for soybeans.

Assuming a marketing loan repayment rate of $4.00 per bushel, implementation of a marketing loan for the 1986 crop of soybeans would possibly increase exports of soybeans approximately 5–7 percent and increase domestic use approximately 2–3 percent. The cost of implementing a marketing loan with a $5.02 per bushel price support level and loan repayment level of $4.00 is estimated to be about $1.0–$1.1 billion greater than if a marketing loan is not implemented. With a $4.77 per bushel price support level and a loan repayment level of $4.00, a marketing loan would increase program costs about $800–$900 million. By establishing a price support rate at $4.77 per bushel for the 1986 crop of soybeans, ending stocks of soybeans are not expected to increase since domestic and export use are expected to increase. Accordingly, it has been determined that a marketing loan for the 1986 crop of soybeans is not necessary to maintain the competitive relationship of soybeans in domestic and export markets.

Section 1009(a) of the Food Security Act of 1985 provides that whenever the Secretary determines that an action authorized by section 1009 (c), (d) or (e) will reduce the total of the direct and indirect costs to the Federal Government of a commodity program administered by the Secretary without adversely affecting income to small and medium sized producers participating in such programs, the Secretary shall take such action with respect to that commodity program. These actions include: (1) The commercial purchases of commodities by the Secretary; (2) the settlement of nonrecourse loans at an amount less than the total of the principal loan amount and accumulated interest, but not less than the principal amount, if such action will result in: (A) Receipt of a portion rather than none of the accumulated interest, (B) avoidance of default of the loan, and (C) elimination of storage, handling and carrying charges on the forfeited loan collateral; and (3) the reopening of a production control or loan program established for a crop at any time prior to harvest of such crop for the purpose of accepting bids from producers for the coversion of acreage planted to a program crop to diverted acreage in return for in-kind payments if the Secretary has determined that: (1) Changes in domestic or world supply or demand conditions have substantially changed after announcement of the program for that crop and (2) without action to further adjust production, the Federal Government and producers will be faced with a burdensome and costly surplus. Such payments are not subject to the maximum payment limitation provision of section 1001 of the Food Security Act of 1985 but are limited to $20,000 per year per producer for any one commodity.

Determination

A. Loan and Purchase Level

The preliminary price support level for the 1986 crop of soybeans is $4.77 per bushel.

B. Marketing Loan

A marketing loan will not be implemented with respect to the 1986 crop of soybeans.

C. Cost of Reduction Options

The decision to implement any cost reduction option will be made at a later date.

Sec. 201 of the Agricultural Act of 1949, as amended, 63 Stat. 1052, as amended (7 U.S.C. 1446(i))

Signed at Washington, DC, on September 4, 1986.

Richard E. Lyng,

Secretary.

[FR Doc. 86–20438 Filed 9–10–86; 8:45 am]

BILLING CODE 3410-05-M

Forest Service

Mono Basin National Forest Scenic Area; Proposed Minor Boundary Revisions

AGENCY: Forest Service, USDA.

ACTION: Notice of proposed boundary revisions.

SUMMARY: The Forest Service proposes six minor revisions in the boundary of the Mono National Forest Scenic Area. To comply with direction contained in Section 301 of the California Wilderness Act of 1984 which established the Scenic Area, notice of the proposed changes is being published in the **Federal Register.** In some proposed revisions, additional land will be included within the Scenic Areas. In others, land will be excluded. The net effect of the proposals will be to add approximately 909 acres to the Scenic Area.

DATE: Comments must be received by October 14, 1986.

ADDRESS: Send written comments to John W. Ruopp (2370), Recreation Staff Officer, Inyo National Forest, 873 N. Main Street, Bishop, CA 93514. The public may inspect comments received on this proposed action in the office of the Recreation Planner, Recreation Staff, Forest Supervisors Office, 873 North Main, Bishop, California, between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Nancy Upham, Scenic Area Manager, Lee Vining, CA (619) 647–6525, or Dick Warren, Recreation Planner, Bishop, CA. (619) 873–5841.

SUPPLEMENTARY INFORMATION: In accordance with the provisions of the California Wilderness Act of 1984 (98 Stat. 1632) establishing the Mono Basin National Forest Scenic Area, the Forest Service proposes minor revisions in the boundary of the Scenic Area as it was originally shown on a map dated June, 1983. The revisions, as proposed, will clarify boundary descriptions. All the proposals have been reviewed and recommended by the Scenic Area Advisory Board. Involved property owners have been notified of the proposals. Maps showing the proposed revisions are available at the office of the Forest Supervisor, 873 N. Main, Bishop, California, and at the office of the District Ranger, Mono Lake Ranger District, Lee Vining, California.

All Descriptions Are For The Mount Diablo Base Meridian.

Revision 1

New Description

T. 2 N., R. 25 E.

Sec. 13—NE¼Ne¼; that portion of the NW¼NE¼ lying south of the northernmost edge of the right-of-way for the Lundy Lake Road (right-of-way S 038388, 200 feet from centerline on public lands); SE¼NE¼, SW¼NE¼ except that portion of Lot 12 as shown on the Final Parcel Map numbered 34–3 and as recorded beginning on page 57 of Parcel Map Book No. 2, County of Mono, and as shown on Exhibit C dated August 20, 1986, on file at the Forest Supervisor Office, 873 N. Main, Bishop, CA, and at the District Ranger Office, Lee Vining, CA; that portion of the NE¼NW¼ lying south of the northern most edge of the right-of-way for the Lundy Lake Road and lying east of the easterly line of Lot 12 (said line having a bearing of N 26 degrees, 13 minutes, 9 seconds W as recorded above; SE¼NW¼, except Lots 9, 10, 11, 12 of Parcel 34–3 as recorded above and as shown on Exhibit C; SE¼; SW¼, except Lots 5,6,7,8 of Parcel 34–3 as recorded above and shown on Exhibit C.

Delete previous references to T2N R25E Sec 14 as it is now outside the Scenic Area.

Reason for Revision

This revision deletes private land which is not necessary to maintain the integrity of the Scenic Area. The exclusion is approximately 53 acres.

Revision 2

New Description

T. 2 N., R. 26 E.

Sec. 18—NE¼NE¼, S½NW¼NE¼, S½NE¼; S½N½ of Lot 1 and S½ of Lot 1 in the NW¼, S½N½ of Lot 2 and S½ of Lot 2 in the NW¼; Lots 1 and 2 of the SW¼; SE¼.

Reason for Revision

This revision includes provate lands at the request of the owner. This parcel should logically be within the Scenic Area. The revision adds approximately 160 acres to the Scenic Area.

Revision 3

New Description

T. 3 N., R. 28 E.

Sec. 19—W½E½; W½ partly unsurveyed.
Sec. 30—all.
Sec. 31—all.
Sec. 32—W½NW¼; SW¼.

T. 3 N., R. 27 E.

Sec. 13—that portion lying south of the northernmost edge of right-of-way S 038388 (California State Highway 167, 200' from centerline).
Sec. 23—that portion lying south of the northernmost edge of right-of-way S 038388 (California State Highway 167, 200' from centerline).
Sec. 23—that portion lying south of the northernmost edge of right-of-way S 038388 (California State Highway 167, 200' from centerline).

Reason for Revision

The revision is to clarify the description of portions of the eastern boundary of the Scenic Area as originally shown. The original boundary follows a dirt road that is inaccurately shown on maps. This road also has a tendency to change location depending on weather factors. The new boundary will be a fixed location, easily marked and shown on maps. The included lands are public lands administered by the Bureau of Land Management. This inclusion adds approximately 981 acres to the Scenic Area.

Revision 4

New Description

T. 3 N., R. 26 E.

Sec. 36—That portion lying south of the northern most edge of right-of-way S 038388 (California State Highway 167), except that portion of the SE¼SE¼NE¼ actually occupied by a structure and a 10 foot wide driveway, and that portion of the SW¼SE¼NE¼ and the NW¼SE¼NE¼ actually occupied by a 10 foot wide driveway, all as shown by Exhibit A dated April 24, 1986, on file at the Forest Supervisor Office, 873 N. Main, Bishop, CA and at the District Ranger Office, Lee Vining, CA.

Reason for Revision

The revision is at the request of the property owner and will exclude the improvements located there. The exclusion will delete approximately 0.40 acres from the Scenic Area.

Revision 5

New Description

T. 1 N., R. 25 E.

Sec. 1—that portion of the NE¼ lying northeast of a line drawn from the SE corner of the SW¼NE¼ to an unnamed peak approximately 9760 feet in evaluation located on or near the N/S quarter line of Sec. 1; that portion of the NW¼ lying northeast of a line drawn from the unnamed peak approximately 9760 feet in elevation to an unnamed peak marked "9604" located in T2N R25E Sec. 36; S½SW¼; NE¼SE¼, SW¼SE¼.

T. 25 E.

Sec. 36—N½; that portion of the SW¼ lying northeast of a line drawn from the unnamed peak approximately 9760 feet in evaluation in T1N R25E Sec. 1 to the unnamed peak marked "9604" in T2N R25E Sec. 36, and that portion of the SW¼ lying north of the line drawn westerly from the unnamed peak marked "9604" to the point of intersection with section line between Sec. 35 and Sec. 36 in T2N R25E; SE¼.

Reason for Revision

This revision is at the request of the Boy Scouts of America. The new boundary will make allow a feasible development of the patented claims originally excluded from the Scenic Area. This revision will delete approximately 238 acres from the Scenic Area. It has been determined that the revision will not be detrimental to the integrity of the Scenic Area.

Revision 6

New Description

T. 1 N., R. 26 E.

Section 8—That portion of the NE¼ lying east of the western most edge of right-of-way S030385 U.S. Highway 395) and lying north of the extended northerly property line of the Lee Vining High School site as described below and as shown on Exhibit B.
Section 9—NE¼NW¼, NW¼NW¼ except that portion occupied by the Lee Vining High School as shown on the Record of Survey filed in Mono County Book 6 of maps, page 51; that portion of SW¼NW¼ lying north of the Lee Vining High School site as described above, all as shown on Exhibit B, dated April 24, 1986, on file at the Forest Supervisor Office, 873 N. Main, Bishop, CA and at the District Ranger Office, Lee Vining, CA.

Reason for Revision

The revision is necessary to include the location of the proposed Mono Basin National Forest Scenic Area visitor center, authorized by the Act. The land is owned by the City of Los Angeles, Department of Water and Power. The inclusion adds approximately 104 acres to the Scenic Area.

Dated: September 3, 1986.

Dennis W. Martin,

Forest Supervisor.

[FR Doc. 86-20502 Filed 9-10-86; 8:45 am]
BILLING CODE 3410-11-M

Vegetation Management Program in the Southern Region; Intent To Prepare Three Environmental Impact Statements

The Department of Agriculture, Forest Service, will prepare three Environmental Impact Statements (EISs) for proposed vegetation management programs in three areas of the Southern Region: Appalachian Mountains, Ozark and Ouachita Mountains, and Coastal Plains/Piedmont. These documents will cover National Forest System lands within the states of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia and a portion of West Virginia.

The analyses for the EISs will consider a range of alternative Vegetative Management Programs. The alternatives will identify the methods to be used in treating the vegetation and the activities that involve vegetation management. Methods under consideration include herbicide application, mechanical and manual techniques, and prescribed burning. Activities that involve treatment of vegetation include site preparation for natural and artificial reforestation, conifer and hardwood release, pre-harvest treatment for oak regeneration, wildlife habitat improvement, right-of-way maintenance (roads, trails, utilities and railroads), and recreation site maintenance. These activities are performed by USDA Forest Service personnel, cooperators, and contractors.

Federal, State and local agencies, any affected Indian tribes, and other individuals or organizations who may be interested in or affected by the decision will be invited by letter to participate in the process. Other interested publics may send comments as indicated below. No formal hearings or public meetings

are planned at this time. The process for each of the three areas will include:

1. Defining the scope of the analysis and nature of the decision to be made.
2. Identifying the Regional and local issues to be considered and analyzed.
3. Determining the disciplines needed on the interdisciplinary team.
4. Focusing on social, physical, and biological issues for each EIS.
5. Identifying cooperating agencies.
6. Identifying groups or individuals interested or affected by the decisions.

John E. Alcock, Regional Forester, Southern Region, Atlanta, Georgia is the responsible official.

The analyses for, and preparation of all three EISs are expected to take about 24 months. The Draft EIS on the Appalachian Forests should be available for public review by July 1987 with the Final EIS scheduled to be completed by January 1988.

The Draft EIS for the Ozark/Ouachita should be available for public review by October 1987, with the Final EIS scheduled to be completed by April 1988. The Draft EIS for the Coastal Plains/Piedmont should be available for public review by February 1988 with the Final EIS scheduled to be completed by September 1988.

Written comments and suggestions concerning the analyses, the EISs, or EIS process should be sent to Regional Forester, Southern Region, 1720 Peachtree Rd. NW., Atlanta, Georgia 30367.

Questions about the proposed actions and EISs should be directed to Stephen McCorquodale, Vegetation Management EIS Team Leader, Southern Region, phone (404) 347-7930.

Dated: August 29, 1986.

John E. Alcock,

Regional Forester, Region 8.

[FR Doc. 86-20410 Filed 9-10-86; 8:45 am]

BILLING CODE 3410-11-M

Soil Conservation Service

Anaconda Erosion Control and Stabilization RC&D Measure Plan, MT

AGENCY: Soil Consevation Service, USDA.

ACTION: Notice of a Finding of No Significant Impact.

SUMMARY: Pursuant to section 102(2)(c) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Anaconda Erosion Control and Stabilization RC&D Measure Plan, Anaconda-Deer Lodge, Montana.

FOR FURTHER INFORMATION CONTACT: Glen H. Loomis, State Conservationist, Soil Conservation Service, 10 East Babcock, Bozeman, Montana 59715, telephone (406) 587-6813.

SUPPLEMENTARY INFORMATION: The environmental assessment of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of thsee findings, Glen H. Loomis, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The project concerns a plan for critical area treatment. The planned works of improvement include seeding grasses and shrubs on 135 acres of critical eroding area.

The Notice of a Finding of No Significant Impact (FONSI) has been forwarded to the Environmental Protection Agency and to various federal, state and local agencies and interested parties. A limited number of copies of the FONSI are available to fill single copy requests at the above address. Basic data developed during the environmental assessment are on file and may be reviewed by contacting Wallace A. Jolly.

No administrative action on implementation of the proposal will be taken until 30 days after the date of this publication in the **Federal Register.**

(This activity is listed in the Catalog of Federal Domestic Assistance under No. 10.901—Resource Conservation and Development—and is subject to the provisions of Executive Order 12372 which requires intergovernmental consultation with state and local officials.)

Dated: September 2, 1986.

Glen H. Loomis,

State Conservationist.

[FR Doc. 86-20505 Filed 9-10-86; 8:45 am]

BILLING CODE 3410-16-M

DEPARTMENT OF COMMERCE

International Trade Administration

Short Supply Review on Certain Historic Telephone Boxes; Request for Comments

AGENCY: International Trade Administration/Import Administration, Commerce.

ACTION: Notice and request for comments.

SUMMARY: The Department of Commerce hereby announces its review of a request for a short supply determination under Article 8 of the U.S.-EC Arrangement on Certain Steel Products with respect to certain historic telephone boxes.

EFFECTIVE DATE: Comments must be submitted no later than 10 days from publication of this notice.

ADDRESS: Send all comments to Nicholas C. Tolerico, Acting Director, Office of Agreements Compliance, Import Administration, U.S. Department of Commerce, 14th and Constitution Ave., NW., Washington, DC. 20230, Room 3099.

FOR FURTHER INFORMATION CONTACT: Richard O. Weible, Office of Agreements Compliance, Import Administration, U.S. Department of Commerce, 14th and Constitution Ave., NW., Washington, DC 20230, Room 3099, (202) 377-0159.

SUPPLEMENTARY INFORMATION: Article 8 of the U.S.-EC Arrangement on Certain Steel Products provides that if the U.S. ". . . determines that because of abnormal supply or demand factors, the U.S. steel industry will be unable to meet demand in the USA for a particular product (including substantial objective evidence such as allocation, extended delivery periods, or other relevant factors), an additional tonnage shall be allowed for such product. . . ."

We have received a short supply request for certain telephone boxes with significant cultural, historical, and aesthetic value for use as ornaments in private homes and commercial establishments. The boxes are of the classic style used in the United Kingdom.

Any party interested in commenting on this request should send written comments as soon as possible, and no later than ten days from publication of this notice. Comments should focus on the economic factors involved in granting or denying this request.

Commerce will maintain this request and all comments in a public file. Anyone submitting business proprietary information should clearly identify that portion of their submission and also provide a non-proprietary submission which can be placed in the public file. The public file will be maintained in the Central Records Unit, Import Administration, U.S. Department of

Commerce, Room B-099 at the above address.

Gilbert B. Kaplan,

Deputy Assistant Secretary for Import Administration.

September 9, 1986.

[FR Doc. 86-20632 Filed 9-10-86; 8:45 am]

BILLING CODE 3510-DS-M

National Technical Information Service

Government-Owned Inventions; Availability for Licensing

The inventions listed below are owned by agencies of the U.S. Government and are available for licensing in the U.S. in accordance with 35 U.S.C. 207 to achieve expeditious commercialization of results of federally funded research and development. Foreign patents are filed on selected inventions to extend market coverage for U.S. companies and may also be available for licensing.

Technical and licensing information on specific inventions may be obtained by writing to: Office of Federal Patent Licensing, U.S. Department of Commerce, P.O. Box 1423, Springfield, Virginia 22151.

Please cite the number and title of inventions of interest.

Douglas J. Campion,

Patent Licensing Specialist, Office of Federal Patent Licensing, National Technical Information Service, U.S. Department of Commerce.

Department of Agriculture

SN 6-848,175
Flange Interlock Building System
SN 6-861,770
Accoustical Detection of Hidden Insects
SN 6-876,047
Method and Apparatus for Placement of Fertilizer Below Seed with Minimum Soil Disturbance
SN 6-878,106
Process for Crossdyeing Cellulosic Fabrics

Department of Commerce

SN 6-838,748
Micromanipulator System
SN 6-851,607
Fibrous Monolithic Ceramic and Method for Production
SN 6-868,483
Acoustic Evaluation of Thermal Insulation
SN 6-868,485
Split Rail Parallel Gripper

Department of Health and Human Services

SN 6-496,275 (4,588,993)
Broadband Isotropic Probe System for Simultaneous Measurement of Complex E- and H-Fields
SN 6-850,120
Method of Sensing Fluid Properties Independent of Bubble Concentrations
SN 6-857,831
Differential Conductivity Detector for Ion Chromatography
SN 6-874,633
Biologically Pure, Prohormone Converting Enzyme and Synthesis of Peptide Hormones
SN 6-874,637
Novel Method of Preparing Toxoid

Department of the Interior

SN 6-636,765 (4,588,565)
Separation of Lithium Chloride from Impurities
SN 6-669,151 (4,592,515)
Soil Pulverizing Mill
SN 6-693,510 (4,598,588)
Detached Rock Evaluation Device
SN 6-756,535 (4,596,151)
Biaxial Pressure Sensor

Department of the Air Force

SN 6-477,998 (4,591,977)
Plurality of Processors Where Access to the Common Memory Requires Only a Single Clock Interval
SN 6-505,165 (4,591,976)
Multiple Task Oriented Processor
SN 6-607,089
Piezoelectric Material Testing Method and Apparatus
SN 6-693,399
Vacuum Pump Oil Recovery Process
SN 6-696,298 (4,587,805)
Electro-Optical Control of Solid Fuel Rocket Burn Rate
SN 6-734,299 (4,590,304)
Protected Ethynylated Phenols
SN 6-742,826
Digital Phase Meter Apparatus
SN 6-747,743
Prism Holder
SN 6-753,504
Stepless Pulse Count Switching
SN 6-758,926
Method for Refining Microstructures of Prealloyed Titanium Powder Compacted Articles
SN 6-758,929
Method for Refining Microstructures of Titanium Alloy Castings
SN 6-765,764
A Unique Signal, Safe and Arm Device
SN 6-801,341
Shock Absorbing Device with Integral Pressure Relief Valve
SN 6-801,348
Rapid Sythesis of Indium Phosphide
SN 6-824,994
Multi-Element Adaptive Antenna Array
SN 6-831,886
Improved Anti-G Suit
SN 6-831,901
Rapid Acting Electro-Pneumatic Anti-G Suit Control Valve
SN 6-835,923
Unique Mechanization to Fault Isolate Failures of an Electron Tube Radio Frequency (RF) Amplifier and its High Voltage Power Supply
SN 6-844,636
Super Gripper Variable Vane Arm
SN 6-844,637
Ni-Co Alloy Plaque for Cathode of Ni-Cd Battery
SN 6-846,691
Thermal Vacuum Heater Array Apparatus
SN 6-849,991
Interrupt Control Switch Interface System
SN 6-852,587
Method of Fabricating High Efficiency Binary Planar Optical Elements
SN 6-852,597
Process for Carbon-Carbon Composite Fabrication
SN 6-852,683
Metal Thickness Measurements Using Radiography
SN 6-852,698
Aryloxy-2,6-Naphthalicdiacid Compositions and Products Produced Thereby
SN 6-853,827
Multichannel Phase Noise Measurement System
SN 6-854,234
Mutli Use Gripper for Industrial Robot
SN 6-855,047
Cryogenic Wound Rotor for Lightweight, High Voltage Generators
SN 6-855,243
Sliding Duct Seal
SN 6-856,248
Light Socket Removal Tool
SN 6-856,544
Automated Tape Laying Machine for Composite Structures
SN 6-856,907
Real Time Data Reduction System Standard Interface Unit
SN 6-860,357
Co-Pyrolysis Process for Forming Carbonized Composite Bodies
SN 6-861,905
Improved Vane Platform Sealing and Retention Means
SN 6-861,908
Self-Locking Outer Air Seal with Full Backside Cooling
SN 6-861,909
Turbine Air Seal with Full Backside Cooling
SN 6-864,221
TDD Antenna—Foil Formed, Substrate Loaded Laser Welded Assembly
SN 6-864,222
In-Line Determination of Presence of

Liquid Phase Moisture in Sealed IC Packages
SN 6–867,652
Spacecraft Subsystem Support Structure
SN 6–867,727
Low Temperature Formation of Mullite
SN 6–870,045
High Frequency, High Voltage Mosfet Isolation Amplifier
SN 6–870,047
Optical Gaussian Convolvers
SN 6–870,048
Nonlinear Optical Apparatus Using Optical Fibers
SN 6–870,552
Method and Apparatus for Increasing Service Life of Augmentor and Combustion Chamber Liners
SN 6–870,562
Reflector Antenna Having Sidelobe Nulling Assembly

Department of the Army

SN 6–477,479 (4,590,166)
Method for Separating and Measuring the Amount of Polar Compounds and Their Metabolites in Aqueous Solutions
SN 6–571,766 (4,595,287)
Doppler Effect Laser Velocity Measuring System
SN 6–699,140 (4,080,942)
Metering Fuel by Compressibility
SN 6–856,263
Beam Steering Mirror Construction
SN 6–859,283
Temperature and Frequency Compensated Array Beam Steering Unit
SN 6–861,462
Confinement of kOe MagneticFields to Very Small Areas in Miniature Devices
SN 6–861,463
Sampling and Recording Dose Rate Meter
SN 6–861,464
Confinement of Longitudinal, Axially Symmetric, Magnetic Fields to Annular Regions with Permanent Magnets
SN 6–863,759
Apparatus for the Detection of Angles-of-Arrival of Radio Frequency Signals
SN 6–864,638
Cylindrical Laser Welder
SN 6–868,862
Parametric Linear Variation of a Leakage Free Permanent Magnet Field Source
SN 6–868,863
A Leakage-Free, Linearily Varying Axial Permanent Magnet Field Source

Tennessee Valley Authority

SN 6–769,095 (4,587,358)
Production of High-Strength, Storage-Stable Particulate Urea

[FR Doc. 86–20498 Filed 9–10–86; 8:45 am]
BILLING CODE 3510–04–M

COMMODITY FUTURES TRADING COMMISSION

Chicago Mercantile Exchange; Australian Dollar

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice of availability of the terms and conditions of proposed commodity futures contract.

SUMMARY: The Chicago Mercantile Exchange ("CME") has applied for designation as a contract market in the Australian dollar. The Director of the Division of Economic Analysis of the Commodity Futures Trading Commission ("Commission"), acting pursuant to the authority delegated by the Commission Regulation 140.96, has determined that publication of the proposal for comment is in the public interest, will assist the Commission in considering the views of interested persons, and is consistent with the purposes of the Commodity Exchange Act.

DATE: Comments must be received on or before November 10, 1986.

ADDRESS: Interested persons should submit their views and comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, 2033 K Street NW., Washington, DC 20581.

Reference should be made to the CME Australian dollar futures contract.

FOR FURTHER INFORMATION CONTACT: Naomi Jaffe, Division of Economic Analysis, Commodity Futures Trading Commission, 2033 K Street NW., Washington, DC 20581, (202) 254–7227.

Copies of the terms and conditions of the proposed CME futures contract will be available for inspection at the Office of the Secretariat, Commodity Futures Trading Commission, 2033 K Street NW., Washington, DC 20581. Copies of the terms and conditions can be obtained through the Office of the Secretariat by mail at the above address or by phone at (202) 254–6314.

Other materials submitted by the CME in support of the application for contract market designation may be available upon request pursuant to the Freedom of Information Act (5 U.S.C. 552) and the Commission's regulations thereunder (17 CFR Part 145 (1984)), except to the extent they are entitled to confidential treatment as set forth in 17 CFR 145.5 and 145.9. Requests for copies of such materials should be made to the FOI, Privacy and Sunshine Acts Compliance Staff of the Office of the Secretariat at the Commission's headquarters in accordance with 17 CFR 145.7 and 145.8.

Any person interested in submitting written data, views or arguments on the terms and conditions of the proposed futures contract, or with respect to other materials submitted by the CME in support to their application, should send such comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, 2033 K Street NW., Washington, DC 20581, by November 10, 1986.

Issued in Washington, DC, on September 8, 1986.

Paula A. Tosini,

Director, Division of Economic Analysis.

[FR Doc. 86–20468 Filed 9–10–86; 8:45 am]
BILLING CODE 6351–01–M

DEPARTMENT OF DEFENSE

Office of the Secretary

Ada Board Environment Panel; Meeting

ACTION: Notice of meeting.

SUMMARY: A meeting of the Ada Board Environment Panel will be held Friday, 26 September 1986 from 9:00 A.M. to 5:00 P.M. at the Radisson Metrodome Hotel, Minneapolis, MN.

FOR FURTHER INFORMATION CONTACT: Dr. Erhard Ploedereder, Tartan Laboratories, 477 Melwood Avenue, Pittsburgh PA 15213, (412) 621–2210.

Patricia H. Means,

Office of the Secretary of Defense, Federal Register Liaison Office, Department of Defense.

September 5, 1986.

[FR Doc. 86–20443 Filed 9–10–86; 8:45 am]
BILLING CODE 3810–01–M

DOD Advisory Group on Electron Devices; Meeting

SUMMARY: The DOD Advisory Group on Electron Devices (AGED) announces a closed session meeting.

DATE: The meeting will held at 0900, Tuesday, 7 October 1986.

ADDRESS: The meeting will be held at Palisades Institute for Research Services, Inc., 2011 S. Crystal Drive, Suite 307, Arlington, VA 22202.

FOR FURTHER INFORMATION CONTACT: David Slater, AGED Secretariat, 201 Varick Street, New York, 10014.

SUPPLEMENTARY INFORMATION: The mission of the Advisory Group is to

provide the Under Secretary of Defense for Research and Engineering, the Director, Defense Advanced Research Projects Agency and the Military Departments with technical advice on the conduct of economical and effective research and development programs in the area of electron devices.

The AGED meeting will be limited to review of research and development programs which the Military Departments propose to initiate with industry, universities or in their laboratories. The agenda for this meeting will include programs on Radiation Hardened Devices, Microwave Tubes, Dispslays and Lasers. The review will include details of classified defense programs throughout.

In accordance with section 10(d) of Pub. L. No. 92–463, as amended, (5 U.S.C. App. II section 10(d) (1982)), it has been determined that this Advisory Group meeting concerns matters listed in 5 U.S.C. 552(c)(1) (1982), and that accordingly, this meeting will be closed to the public.

Patricia H. Means,

OSD Federal Register Liaison Officer, Department of Defense.

September 5, 1986.

[FR Doc. 86–20445 Filed 9–10–86; 8:45 am]

BILLING CODE 3810-01-M

DOD Advisory Group on Electron Devices; Meeting

SUMMARY: Working group C (Mainly Opto Electronics) of the DoD Advisory Group on Electron Devices (AGED) announces a closed session meeting.

DATE: The meeting will be held at 0900, Thursday, October 2, 1986.

ADDRESS: The meeting will be held at Palisades Institute for Research Services, Inc. 2011 S. Crystal Drive, Suite 307, Arlington, VA 22202.

FOR FURTHER INFORMATION CONTACT: Gerald Weiss, AGED Secretariat, 201 Varick Street, New York, 10014.

SUPPLEMENTARY INFORMATION: The mission of the Advisory Group is to provide the Under Secretary of Defense for Research and Engineering, the Director, Defense Advanced Research Projects Agency and the Military Departments with technical advice on the conduct of economical and effective research and development programs in the area of electron devices.

The Working Group C meeting will be limited to review of research and development programs which the military propose to initiate with industry, universities or in their laboratories. This opto-electronic device area includes such programs as imaging devices, infrared detectors and lasers. The review will include classified program details throughout.

In accordance with section 10(d) of Pub. L. No. 92–463, as amended, (5 U.S.C. App. 11 section 10(d) (1982)), it has been determined that this Advisory Group meeting concerns matters listed in 5 U.S.C. 552b(c)(1) (1982), and that accordingly, this meeting will be closed to the public.

Patricia H. Means,

OSD Federal Register Liaison Officer, Department of Defense.

September 5, 1986.

[FR Doc. 86–20446 Filed 9–10–86; 8:45 am]

BILLING CODE 3810-01-M

DOD Advisory Group on Electron Devices; Meeting

SUMMARY: Working Group B (Microelectronics) of the DoD Advisory Group on Electron Devices (AGED) announces a closed session meeting.

DATE: The meeting will be held at 0900, Wednesday, 8 October 1986.

ADDRESS: The meeting will be held at Palisades Institute for Research Services, Inc., 2011 S. Crystal Drive, Suite 307, Arlington, VA 22202.

FOR FURTHER INFORMATION CONTACT: Becky Terry, AGED Secretariat, 2011 Crystal Drive, Arlington, Virginia 22202.

SUPPLEMENTARY INFORMATION: The mission of the Advisory Group is to provide the Under Secretary of Defense for Research and Engineering, the Director, Defense Advanced Research Projects Agency and the Military Departments with technical advice on the conduct on economical and effective research and development programs in the area of electron devices.

The Working Group B meeting will be limited to review of research and development programs which the military propose to initiate with industry, universities or in their laboratories. The Microelectronics area includes such programs as integrated circuits, charge coupled devices and memories. The review will include classified program details throughout.

In accordance with section 10(d) of Pub. L. No. 92–463, as amended (5 U.S.C. App. II Section 10(d) (1982)), it has been determined that this Advisory Group meeting concerns matters listed in 5 U.S.C. 552b(c)(1) (1982), and that accordingly, this meeting will be closed to the public.

Patricia H. Means,

OSD Federal Register Liaison Officer, Department of Defense.

September 5, 1986.

[FR Doc. 86–20447 Filed 9–10–86; 8:45 am]

BILLING CODE 3810-01-M

Defense Intelligence Agency Scientific Advisory Committee; Meeting

AGENCY: Defense Intelligence Agency Scientific Advisory Committee, DOD.

ACTION: Notice of closed meeting.

SUMMARY: Pursuant to the provisions of subsection (d) of section 10 of Pub. L. 92–463, as amended by section 5 of Pub. L. 94–409, notice is hereby given that a closed meeting of a panel of the DIA Scientific Advisory Committee has been scheduled as follows:

DATE: 23 September 1986, 9:00 a.m. to 5:00 p.m.

ADDRESS: The DIAC, Bolling AFB, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Lieutenant Colonel Harold E. Linton, USAF, Executive Secretary, DIA Scientific Advisory Committee, Washington, D.C. 20301 (202/373–4930).

SUPPLEMENTARY INFORMATION: The entire meeting is devoted to the discussion of classified information as defined in section 552b(c)(1), Title 5 of the U.S. Code and therefore will be closed to the public. Subject matter will be used in a special study on U.S. Strategic Defense Initiative.

Linda M. Lawson,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

September 8, 1986.

[FR Doc. 86–20484 Filed 9–10–86; 8:45 am]

BILLING CODE 3810-01-M

Performance Review Board; Membership Appointments

AGENCY: Defense Mobilization Systems Planning Activity, DOD.

ACTION: Announce Membership of Performance Review Board.

SUMMARY: This notice announces the appointment of the members of the Performance Review Board (PRB) of the Defense Mobilization Systems Planning Activity. The publication of PRB membership is required by 5 U.S.C. 4314 (c)(4).

The Performance Review Board provides fair and impartial review of Senior Executive Service performance

appraisals and makes recommendations regarding performance and performance awards to the Director.

DATE: September 1, 1986.

FOR FURTHER INFORMATION CONTACT: Mr. Robert H. Oppenheimer, Resource Management and Support Services, Defense Mobilization Systems Planning Activity, c/o OASD (FM&P), Correspondence & Control Division, The Pentagon, 3E 759, Washington, DC 20301, (202) 756–2249.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 4314 (c)(4), the following register constitutes members of the Defense Mobilization Systems Planning Activity PRB who will serve one-year renewable terms effective September 1, 1986.

Mr. Maurice Lipton
Brigadier General Paul A. Maye
Dr. Michael L. Ioffredo
Dr. William T. Marquitz
Mr. Kevin C. Moody.

Patricia H. Means,

OSD Federal Register Liaison Officer, Department of Defense.

September 5, 1986.

[FR Doc. 86–20440 Filed 9–10–86; 8:45 am]

BILLING CODE 3810-01-M

Department of the Air Force

USAF Scientific Advisory Board; Meeting

September 2, 1986.

The USAF Scientific Advisory Board Aerospace Vehicles Panel will meet at Aeronautical Systems Division Headquarters, Building 14, Wright Patterson Air Force Base, Ohio, October 2 and 3, 1986.

The purpose of this meeting is to discuss the panel's findings on Air Force Project Forecast II topics and to prepare a final report on those findings.

This meeting will involve discussions of classified defense matters listed in section 552b(c) of Title 5, United States Code, specifically subparagraph (1) thereof, and accordingly will be closed to the public.

For further information, contact the Scientific Advisory Board Secretariat at (202) 697–4648.

Norita C. Koritko,

Air Force Federal Register Liaison Officer.

[FR Doc. 86–20412 Filed 9–10–86; 8:45 am]

BILLING CODE 3910-01-M

Corps of Engineers, Department of the Army

Intent To Prepare a Draft Environmental Impact Statement for the Proposed Sandstone Project

AGENCY: U.S. Army Corps of Engineers, Omaha District, DOD. Sponsor: Wyoming Water Development Commission, Cheyenne, Wyoming.

ACTION: Notice of Intent to Prepare a Draft Environmental Impact Statement (DEIS).

SUMMARY: 1. The proposed action is to construct the Sandstone Dam on Savery Creek in Carbon County, Wyoming. The dam site is accessed via a county road which extends north from State Route 70 at Savery, Wyoming, approximately 8.5 miles. The dam would be located on Savery Creek just downstream of the confluence of Savery and Little Sandstone Creeks. Savery Creek is a tributary of the Little Snake River.

2. Alternatives being evaluated by the applicant include:

a. Construction of a new reservoir (several alternate sites).

b. Use of groundwater resources.

c. No action.

Alternatives available to the Corps of Engineers include:

a. Approve the permit application.

b. Denial of the permit.

c. Approve the permit with some modification.

3. To date, public involvement has included meetings of the North Platte Water Development Board in July 1985 and July 1986 in Baggs, Wyoming. The project will also comply with the requirements of the Historic Preservation Act, the Endangered Species Act, the Fish and Wildlife Coordination Act, section 404 of the 1977 Clean Water Act, Executive Order 11988 on flood plains, and Executive Order 11990 on wetlands.

4. Scoping meetings for the DEIS will be held on Tuesday, September 23, 1986, at 9:00 a.m. in the Basement Conference Room of the Hathaway Building, 2300 Capitol Avenue, Cheyenne, Wyoming; and at 9:00 a.m. on Wednesday 24, 1986, at the Baggs Elementary School Music Room, Baggs, Wyoming. The participation of the public and all interested Government agencies is invited.

5. The Omaha District estimates that the DEIS will be released for public review in July 1987.

ADDRESS: Questions about the proposed action, DEIS, or scoping meetings should be directed to Richard Gorton; Chief, Environmental Analysis Branch; Omaha District, CE; 1612 U.S. Post Office and Courthouse; Omaha, Nebraska 68102–4978; phone (402) 221–4598.

Arvid L. Thomsen,

Chief, Planning Division Omaha, District, CE.

[FR Doc. 86–20413 Filed 9–10–86; 8:45 am]

BILLING CODE 3710-62-M

DELAWARE RIVER BASIN COMMISSION

Commission Meetings and Public Hearing

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on Wednesday, September 17, 1986 beginning at 1:30 p.m. in the Goddard Conference Room of the Commission's offices at 25 State Police Drive, West Trenton, New Jersey. The hearing will be part of the Commission's regular business meeting which is open to the public.

An informal pre-meeting conference among the Commissioners and staff will be open for public observation at about 11:00 a.m. at the same location.

The subjects of the hearing will be as follows:

Applications for Approval of the Following Projects Pursuant to Article 10.3, Article 11 and/or Section 3.8 of the Compact:

1. Borough of Hatfield D–80–94 CP RENEWAL

An application for the renewal of a ground water withdrawal project to supply 6.48 million gallons (mg)/30 days to the Borough of Hatfield water supply system from Well No. 10. Commission approval in 1981 was limited to five years and will expire unless renewed. The applicant requests that the total withdrawal from the well remain limited to 6.48 mg/30 days. The project is located in the Borough of Hatfield, Montgomery County, in the Southeastern Pennsylvania Ground Water Protected Area.

2. Elizabethtown Water Company D–81–17 CP RENEWAL

An application for the renewal of a ground water withdrawal project to supply up to 25.92 mg/30 days of water to the applicant's distribution system from each of Well Nos. 1 and 2. Commission approval on October 6, 1981 was limited to five years and will expire unless renewed. The applicant requests that the total withdrawal from all wells remain limited to 51.84 mg/30 days. The project is located in West Windsor Township, Mercer County, New Jersey.

3. Louis Romano, Jr. D–81–42 RENEWAL

An application for the renewal of a ground water withdrawal project to supply up to 22 mg/30 days of water to the applicant's irrigation system from Well Nos. 1 and 2. Commission approval in 1981 was limited to five years and will expire unless renewed. The applicant requests that the total withdrawal from all wells be increased from 10 mg/30 days to 22 mg/30 days. The project is located in Lawrence Township, Cumberland County, New Jersey.

4. United States Power Corporation D–85–56

An application to moor a floating paddle wheel electric generating vessel ("piggy back water power generator") in the mid-channel of the Delaware River several miles downstream of Easton, Pennsylvania, between Whipporwill Island (William Township, Northampton County, Pennsylvania) and River Rock Island (Pohatcong Township, Warren County, New Jersey). The pontoon vessel will be 23 feet wide and 19 feet long. Each paddle in the two parallel paddle assemblies will be less than six feet long and extend less than three feet into the water. The vessel will be connected to an existing Jersey Central Power and Light Company utility pole by a marine cable that will be placed on the river bottom and buried on the New Jersey river bank. The total maximum operating electric generating capacity will be 60 kilowatts.

5. Coca-Cola Foods D–85–85

An application for the construction of a new industrial waste treatment facility using activated sludge pretreatment in aerated earthen lagoons followed by spray irrigation to treat a food-oriented wastewater generated at a new Coca-Cola Foods processing plant to be located in Keystone Industrial Park, Bristol Township, Bucks County, Pennsylvania. Process wastewater and cooling tower/boiler blowdown of 100,000 gpd will receive final land application on a 29 acre site one-half mile south of Newportville along Newportville Road. During extended periods when land application cannot be implemented, wastewater will discharge to the public sewers.

6. Kings Plaza Water Company D–86–13 CP

An application for approval of a ground water withdrawal project to supply 137,000 gpd (4.11 mg/30 days) for a municipal water supply facility which is to include an existing privately owned system, supplied by wells. The new wells (Nos. 2, 6, and 7) and the operating well, Kings Plaza No. 1, are located in Doylestown Township, Bucks County, in the Southeastern Pennsylvania Ground Water Protected Area.

7. Whitehall Township Authority D–86–14 CP

An application for approval of a ground water withdrawal project to supply up to 16.4 mg/30 days of water to the applicant's distribution system from new Walnut Gardens Well No. 3 and to increase the existing withdrawal limit from all wells to 36.7 mg/30 days. The project is located in Whitehall Township, Lehigh County, Pennsylvania.

8. Borough of North Wales D–86–20 CP

A sewage treatment plant expansion project to serve 3,400 people in North Wales Borough and a portion of Upper Gwynedd Township, both in Montgomery County, Pennsylvania. The application consists of a proposal to renovate and construct several facilities at the existing site. The secondary treatment plant will be modified and the design capacity increased from 0.5 to 0.95 mgd capacity. The teated effluent will continue to be discharged to an unnamed tributary of the Wissahickon Creek.

9. Camelback Ski Corporation D–86–21

An application for the expansion of the applicant's sewage treatment plant serving the Camelback Mountain Ski Resort located in Pocono Township, Monroe County, Pennsylvania. The existing 0.14 mgd plant serves up to 1,400 people, but the proposed 0.4 mgd facility could serve 4,000 persons. The treated effluent discharge location will be moved downstream to a point where the unnamed tributary to Pocono Creek becomes a perennial stream.

10. Upper Moreland-Hatboro Joint Sewer Authority D–86–27 CP

A sewage treatment plant expansion project to serve a design population of over 54,000 people in both Hatboro and Upper Moreland Township, Montgomery County, Pennsylvania. Flow from industrial sources results in an additional equivalent population of an estimated 8,400 persons served. The existing secondary treatment plant has a design average flow of 6.6 mgd. The proposed expansion will increase the capacity to 7.0 mgd. The tertiary treatment facility is designed to serve the projected flow through the year 2005. The treated effluent will continue to be discharged to Pennypack Creek.

11. City of Reading D–86–28 CP

A sewage treatment plant expansion project to serve the City of Reading and 11 surrounding municipalities all within Berks County, Pennsylvania. The existing plant has a design average flow capacity of 23.25 mgd. The proposed expansion will increase the plant's capacity to 28.50 mgd. The design includes a projected ground water infiltration reduction of 1.41 mgd. The treated effluent will continue to be discharged to the Schuylkill River at River Mile 92.47–72.8. The proposed expansion is designed to serve the City of Reading through the year 2000.

12. Reading Municipal Airport Authority D–86–38 CP

A wastewater treatment project to serve Reading Municipal Airport, an industrial park, and several commercial users adjacent to the industrial park. The existing secondary treatment plant will have a design average flow capacity of 0.175 mgd, but several facilities will be renovated and some new units will be constructed in order to upgrade the plant. All of the new facilities will be built at the existing plant site which is located in Bern Township, Berks County, Pennsylvania. The project is designed to serve the applicant through the year 2000. The secondary treatment plant effluent will continue to be discharged to the Schuylkill River.

13. Bordentown Sewerage Authority D–86–47 CP

An application for a sewage regionalization project to serve the City of Bordentown and Bordentown Township, in Burlington County, New Jersey. This application requests: revision of the Comprehensive Plan by eliminating the Laurel Run Sewage Treatment Plant and the reconstruction and expansion of the Bordentown City Sewage Treatment Plant (BCSTP) into a regional facility with a design capacity of 3 mgd. The proposed plant is designed to provide high quality secondary treatment for a projected population of 16,400 persons through the design year 2000. The treatment plant effluent will continue to be discharged to Blacks Creek at River Mile 128.22–2.0 in Water Quality Zone 2.

14. Northeastern Power Company D–86–53

An application to withdrawn 0.84 mgd of water from abandoned mines for use in a proposed steam/electric cogeneration process which involves the discharge of 0.196 mgd of treated effluent to surface waters. The proposed site in Kline Township, Schuylkill

County, Pennsylvania is rural and is located adjacent to large piles of coal breaker refuse which will serve as the principal fuel for the facility. The acid ground water will be pretreated before use in the proposed 45 MW facility. The proposed process wastewater will be treated to meet NPDES permit limits prior to discharge into the headwaters of the Little Schuylkill River.

15. Catasauqua Borough Authority D–86–32 CP

An application to expand the existing 1.77 mgd sewage treatment plant to an average flow capacity of 2.25 mgd. The proposed facility is designed to provide secondary treatment for industrial and residential wastewaters. Catasauqua and a portion of Hanover Township are the Lehigh County, Pennsylvania communities served by this facility, while North Catasauqua and a portion of Hanover Township in Northampton County, Pennsylvania, are also served. The expanded plant is designed to serve an equivalent population of almost 20,000 persons through the year 2005. Treated wastewater will continue to be discharged to the Lehigh River through the existing outfall located in River Mile 183.66–20.2.

Proposed Water Supply Contract for the Philadelphia Electric Company Limerick Generating Station. Pursuant to the provisions of the Delaware River Basin Compact, DRBC Resolution Nos. 71–4 and Section 5–3.2 of Resolution No. 74–6, a contract is proposed between the Delaware River Basin Commission (DRBC) and the Philadelphia Electric Company (PECO) to provide an annual minimum payment to the DRBC for the use of water withdrawn from the Schuylkill River and the East Branch of Perkiomen Creek for the consumptive and non-consumptive water use at the Limerick Generating Station in Pennsylvania.

Documents relating to these items may be examined at the Commission's offices. Preliminary dockets are available in single copies upon request. Please contact David B. Everett. Persons wishing to testify at this hearing are requested to register with the Secretary prior to the hearing.

* * * * * *

The Commission will hold a special 25th Anniversary meeting on Thursday, September 18, 1986 beginning at 2:00 p.m. in the Oak Room of the Union League of Philadelphia, 140 South Broad Street, Philadelphia, Pennsylvania. The meeting, which is open to the public, will be one of several events commemorating the Commission's 25th year under the interstate-federal Delaware River Basin Compact.

Susan M. Weisman,

Secretary.

September 2, 1986.

[FR Doc. 86–20411 Filed 9–10–86; 8:45 am]

BILLING CODE 6360–01–M

DEPARTMENT OF EDUCATION

National Council on Vocational Education; Meeting

AGENCY: Education Department.

ACTION: Notice of Public Meeting of the Council.

SUMMARY: This notice sets forth the proposed agenda of a forthcoming meeting of the National Council on Vocational Education. It also describes the functions of the Council. Notice of this meeting is required under section 10(a)(2) of the Federal Advisory Committee Act, and is intended to notify the general public of its opportunity to attend. It should also be noted on September 30-October 1, 1986 the meeting will be in the form of workshops and the General Business Meeting of the Council will take place on October 2, 1986.

DATES: September 30, 1986–October 2, 1986.

ADDRESS: The National Center for Research in Vocational Education, The Ohio State University, 1960 Kenny Road, Columbus, Ohio 43210 (614) 486–3655.

SUPPLEMENTARY INFORMATION: The National Council on Vocational Education is established under section 104 of the Vocational Education Amendments of 1968, Pub. L. 90–576. The Council is established to:

(A) Advise the President, the Congress, and the Secretary of Education concerning the administration of, preparation of general regulations for, and operation of, vocational education programs supported with assistance under this title;

(B) Review the administration and operation of vocational educational programs under this title, including the effectiveness of such programs in meeting the purposes for which they are established and operated, make recommendations with respect thereto, and make annual reports of its findings and recommendations (including recommendations for changes in the provisions of this title) to the Secretary for transmittal to Congress; and

(C) Conduct independent evaluations of programs carried out under this title and publish and distribute the results thereof.

FOR FURTHER INFORMATION CONTACT. Dr. Joyce Winterton, Executive Director, 2000 L Street NW., Suite 580, Washington, DC 20036, (202) 634–6110.

Records are kept of all Council proceedings, and are available for public inspection at the above address from the hours of 9:00 A.M. to 4:30 P.M.

Signed at Washington, DC., September 3, 1986.

Joyce Winterton,

Executive Director.

National Council on Vocational Education

Three Day Seminar/Fourth Quarter Meeting at National Center for Research on Vocational Education (NCRVE) September 30–October 2, 1986.

Agenda

8:00 am Meet Van In Hotel Lobby for Transportation to NCRVE.

Tuesday, September 30

8:30 am Continental Breakfast—Room 1A.

9:00 am Opening Remarks—Chairman Niebla.
Comments—Joyce Winterton.
Overview of Tuesday's Program—Pat Silversmith.

9:15 am Introduction to National Center—Chet Hansen.

9:45 am Overview of Major Topics—Chairman Niebla, Ray Shamie, and Ralph Bregman.

10:30 am Break.

10:45 am Video Message—Charles Buzzell.

11:00 am *"Project Catalyst" Progress Report*—W.J. Woodhull, John Wanat, Ginny Straus, and Ralph Bregman.

12:00 noon Luncheon—Room 1A.

1:00 pm *Perspectives from Council Members.*
Video Message—Marv Feldman.
A discussion led by: Bob Worthington, and Joyce Winterton.

3:00 pm *Setting National Priorities.*
A discussion led by: Mary Pyle.
State Council Representatives: Wally Vog, Mike Rask, and Jim Kadamus.
State Directors Representative: Bob Sorensen.

5:00 pm Closing Remarks—Chairman Niebla.

6:15 pm Meet Van in Holiday Inn Lobby for Transportation to Hilton Inn.

6:30 pm Reception—*Hilton Inn.*

7:00 pm Dinner—Rumrunner Room.
Master of Ceremonies—Art Vadnais.
Speaker—Dr. C. Dygert.

Subject: "Communicating Your Message Effectively"

* * * *

Wednesday, October 1

7:30 am Meet Van in NCRVE Lobby for Transportation to Hotel.
8:00 am Continental Breakfast.
Opening Remarks and Introductions—Vice Chairman Farley, Master of Ceremony.
8:15 a.m Perspectives on the Future of the Economy Implications for Education.
Moderator: Gordon Ropp, National Association of State Councils (NASCOVE).
Overview: Morgan Lewis, National Center for Research in Vocational Education.
Panelists: Jim Kadamus, State Director of Vocational Education, N.Y., John Serumgard, Industrial Relations, Rubber Manufacturers' Association, and Neil Rosenthal, Bureau of Labor Statistics, DOL.
Summaries: Pier Gherini and Bill Hayes.
9:45 am Benefits/Shortcomings of Vocational Education
Moderator: N.L. McCaslin, National Center for Research in Vocational Education.
Panelists: Tom Bogetich, California State Council, Dan Dunham, Oregon Curriculum Center, and Lonny Brown, U.S. Department of Education.
10:30 am Break—Nat Semple, Committee for Economic Development, and Susan Berryman, Institute on Education and The Economy, Columbia University.
Reactions: Trudy McDonald and Joyce Newman.
11:45 am Luncheon—Room 1A.
1:00 pm New Horizons for Vocational Education.
Moderator: Michael Rask, Nevada State Council.
Panelists: Peter Elliman, Lucas Manufacturing, South Carolina, Joe Lutjeharmes, Council of Chief State School Officers, and David Ponitz, Ohio Community College.
Unanswered Concerns: Marilyn Liddicoat and Mary B. Liu.
2:45 pm Reskilling the Work Force.
Moderator: William Ashley, National Center for Research in Vocational Education.
Panelists: Anthony Carnevale, American Society for Training and Development, Reece Hammond, International Union of Operating Engineers, and Madeleine Hemmings, Business Roundtable.
Challenges for the Council: Christine Valmy and Patricia Silversmith.
4:30 pm Closing Remarks: Michael Farley and Fernando Niebla.
5:45 pm Meet Van in Holiday Inn Lobby for Trip to University Parke Hotel.
6:00 pm Reception—*University Parke.*
6:30 pm Dinner—*Evergreen Room.*
Master of Ceremonies: Art Vadnais.
Speaker: Dr. Robert Taylor, Executive Director Emeritus, National Center.
Subject: "Education Delivery Systems from Abroad"

* * * * *

Thursday, October 2—Hotel Check-out.
8:30 am Meet Van in Hotel Lobby for Trip to NCRVE with Luggage.
9:00 am Roundtable Disussion led by: Chairman Niebla and Vice Chairman Farley.
10:00 am How-To Session for public presentations, press interviews and TV appearances led by: W.J. Woodhull.
12:00 pm Luncheon—Room 1A.
Members' Observations on Three Day Seminar and Suggestions for Future Meetings—John Mackey and George Ames.
1:00 pm Continue How-To Sessions.
2:30 pm National Council Business Meeting with Chairman Niebla and Executive Director Joyce Winterton.
4:30 pm Adjournment.

[FR Doc. 86-20414 Filed 9-10-86; 8:45 am]
BILLING CODE 4000-01-M

DEPARTMENT OF ENERGY

Procurement and Assistance Management Directorate; Development of Software To Evaluate Wheeling Rates

AGENCY: Department of Energy (DOE).

ACTION: Notice of Solicitation for a Cooperative Agreement Application.

SUMMARY: DOE announces that it is conducting negotiations with the New York State Energy Research and Development Authority for development of software to evaluate wheeling rates. These negotiations are expected to result in the award of a cooperative agreement No. DE-FC0186PE79009, in which DOE will provide $125,000 of the total estimated cost of $200,000, for the performance period of twelve months estimated to begin September 30, 1986.

Scope of Study: The cooperative agreement will develop software to demonstrate the benefits of implementing an innovative system of wheeling rates. The software will show how the highly complex and abstract economic-engineering model would translate into specific wheeling rates for utilities in specific circumstances. The software will also compare these wheeling rates with other types of wheeling rates to show how the innovative rates could be used to reduce utility operating costs.

FOR FURTHER INFORMATION CONTACT: U.S. Department of Energy, Barbara Sneden, MA-453.1, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 252-1076.

Edward T. Lovett,

Director, Contract Operations Division "B", Office of Procurement Operations.

[FR Doc. 86-20515 Filed 9-10-86; 8:45 am]
BILLING CODE 6450-01-M

Senior Executive Service: Performance Review Board Members

ACTION: Notice of SES Performance Review Board Appointments.

SUMMARY: This notice lists those persons who have been appointed to serve on the Performance Review Board standing register for the Department of Energy. This supplements the listings published in 50 FR 33818, on August 21, 1985, and 50 FR 40991, on October 8, 1985.

EFFECTIVE DATE: These appointments are effective on August 18, 1986.

FOR FURTHER INFORMATION CONTACT: Barbara J. Hall, MA-204.1, U.S. Department of Energy, Office of Personnel, (202) 252-8477.

SUPPLEMENTARY INFORMATION: Section 4314(c) of title 5, United States Code (as amended by the Civil Service Reform Act of 1978), requires that the Department of Energy establish, in accordance with regulations prescribed by the Office of Personnel Management, one or more Performance Review Board(s) to review and evaluate the initial rating and make a final written recommendation on performance appraisals assigned to the Departmental members of the Senior Executive Service.

The Performance Review Board established for the Department of Energy also makes written recommendations to the Executive Personnel Board regarding SES performance bonuses, awards, and performance related actions.

The names of the appointed members of the SES Performance Review Board are as follows:

Richard Redenius
Marion Bowden
Jerry Ballinger
Edward Goldberg
Charles Kay
Dr. N. Anne Davies
John Brodman

Jerry Pruzan
John Meinhardt
Sherry Peske
Dorner Schueller
Bob Davies
Vic Berniklau
Dr. James Batchelor
Dr. Herbert Volchok

Issued in Washington, DC, on August 11, 1986.

Harry Peebles,

Director of Administration.

[FR Doc. 86-20517 Filed 9-10-86; 8:45 am]

BILLING CODE 6450-1-M

Economic Regulatory Administration

Final Consent Order With MGPC, Inc. and MCO Holdings, Inc.

AGENCY: Economic Regulatory Administration, DOE.

ACTION: Final action on proposed consent order.

SUMMARY: The Administrator of the Economic Regulatory Administration (ERA) has determined that a proposed consent order between the Department of Energy (DOE) and MGPC, Inc. and its parent MCO Holdings, Inc. ("MGPC/MCOH") shall be made final as proposed. The consent order resolves matters relating to MGPC/MCOH's compliance with the federal petroleum price and allocation regulations for the period January 1, 1973 through January 27, 1981 (the period covered by the consent order). The proposed order requires MGPC/MCOH to pay to the DOE $700,000, plus interest from the date the proposed consent order was executed by DOE. Persons claiming to have been harmed by MGPC/MCOH's overcharges will be able to present their claims for refunds in an administrative claims proceeding before the Office of Hearings and Appeals (OHA). The decision to make the MGPC/MCOH consent order final was made after a full review of written comments from the public.

FOR FURTHER INFORMATION CONTACT: Jeffrey R. Whieldon, Economic Regulatory Administration, 1000 Independence Avenue, SW., Room 3H-017; Mail Code RG-43, Washington, DC 20585. (202) 252-4235.

SUPPLEMENTARY INFORMATION:

I. Introduction
II. Comments Received
III. Analysis of Comments
IV. Decision

I. Introduction

On July 11, 1986, ERA issued a notice announcing a proposed consent order between DOE and MGPC/MCOH which would resolve matters relating to MGPC/MCOH's compliance with federal petroleum price and allocation regulations, including the audit period August 19, 1973 through February 28, 1975 (the audit period). The proposed order, which requires MGPC/MCOH to pay $700,000,[1] is for the settlement of MGPC/MCOH's potential liability of $124,310.81, plus interest for sales of condensate, and $390,093, plus interest for sales of NGLs and NGLPs. The July 11 notice provided in detail the basis for ERA's preliminary view that the settlement was favorable to the government and in the public interest. The notice solicited written comments from the public relating tothe adequacy of the terms and conditions of the settlement, and whether the settlement should be made final.

II. Comments Received

ERA received written comments in the form of a joint submission by the states of Arkansas, Delaware, Iowa, Louisiana, North Dakota, Rhode Island, Utah and West Virginia (states). The comments were considered in making the decision as to whether or not the proposed consent order should be made final.

The written comments concern the Office of Hearings and Appeals' ultimate disposition of the settlement funds, and the use of OHA Subpart V procedures to distribute the settlement monies.

The comments submitted by these parties did not question the basis of the settlement or adequacy of the settlement amount, but only offered suggestions on the distribution of the settlement funds that were different from the consent order provisions requiring disbursement through OHA administrative claims proceedings.

III. Analysis of Comments

The July 11 notice solicited written comments in order to enable the ERA to receive information from the public relevant to the decision whether the proposed consent order should be finalized as proposed, modified or rejected. To ensure greater public understanding of the basis for the proposed settlement, the July 11 notice provided detailed information regarding MGPC/MCOH's overcharge liability and the considerations that went into the government's preliminary agreement with the proposed terms. This expanded settlement information enabled the public to address more specifically the areas in which questions or concerns may have existed.

The comments from the states of Arkansas, Delaware, Iowa, Louisiana, North Dakota, Rhode Island, Utah and West Virginia relating to OHA's ultimate distribution of the funds if the MGPC/MCOH consent order is finalized were not germane to the basis or adequacy of the settlement. The comments requested that those funds for which no injured party could be identified be refunded to the states, and restated objections made in other proceedings to any ultimate dispensation of overcharge monies to the U.S. Treasury.

The consent order requires the ERA to petition the OHA to implement a Subpart V proceeding with regard to all the funds received from MGPC/MCOH. The distribution of funds to the states, requested in their comments, is a matter to be considered during the OHA proceeding. Accordingly, it appears that the states' concerns are effectively addressed by the consent order.

Therefore, comments on the actual disbursement of the monies by OHA will not be addressed here, but will be referred to OHA for consideration in the MGPC/MCOH consent order claims proceeding.

In the July 11 **Federal Register** notice, ERA sought to provide the maximum amount of the information possible, and to address MGPC/MCOH's actual financial liability resolved by the proposed consent order. A review of the scope of disclosure in the July 11 notice and the fact that no commenter in any way addressed the adequacy of the settlement amount has resulted in ERA's belief that the July 11 notice provided the public with sufficient information to assess its adequacy. Therefore, the ERA will not repeat its explanation concerning the basis for the settlement, but will refer any member of the public who is interested in that matter to the July 11 **Federal Register** notice, which contains a thorough discussion.

The review and analysis of the written comments did not provide any information that would support the modification or rejection of the proposed consent order with MGPC/MCOH. Accordingly, ERA concludes that the consent order is in the public interest and should be made final.

IV. Decision

By this notice, and pursuant to 10 CFR 205.199J, the proposed consent order between MGPC/MCOH and DOE executed on May 23, 1986 is made a final order of the Department of Energy,

[1] The $700,000, plus interest accrued from the date the proposed consent order was executed by DOE, will be disbursed to DOE within 30 days of publication of this Notice.

effective the date of publication of this notice in the **Federal Register.**

Issued in Washington, DC, on the 28th day of August, 1986.

Carl A. Corrallo,

Solicitor, Economic Regulatory Administration.

[FR Doc. 86-20516 Filed 9-10-86; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Docket Nos. QF86-1001-000, etc.]

Louis G. Nannini et al.; Small Power Production and Cogeneration Facilities; Qualifying Status; Certificate Applications, etc.

Comment date: Thirty days from publication in the **Federal Register,** in accordance with Standard Paragraph E at the end of this notice.

Take notice that the following filings have been made with the Commission.

1. Louis G. Nannini

[Docket No. QF86-1001-000]

September 4, 1986.

On August 22, 1986, L. G. Nannini (Applicant), of U.S. Borax, 3075 Wilshire Boulevard, Los Angeles, California 90010 submitted for filing an application for certification of a facility as a qualifying cogeneration facility pursuant to § 292.207 of the Commission's regulations. No determination has been made that the submittal constitutes a complete filing.

The topping-cycle cogeneration facility will be located at the site of U.S Borax's mine and refining processing facility in Boron, California. The facility will consist of a combustion turbine-generator, a two pressure level heat recovery steam generator (HRSG) and a condensing/extraction steam turbine-generator. The extracted steam together with low pressure steam from HRSG will be used for process at the U.S. Borax mine and refining facility. The net electrical power production capacity of the facility will be approximately 45 MW. The primary energy source will be natural gas. The installation of the facility will commence in March 1988.

2. First American Energy Company/ Culmtech, Ltd.

[Docket No. QF86-964-001]

September 5, 1986.

On August 13, 1986, First American Energy Company/Culmtech, Ltd. (Applicant), P.O. Box 616, Pittston, Pennsylvania 18640, submitted for filing an application for certification of a facility as a qualifying small power production facility pursuant to § 292.207 of the Commission's regulations. No determination has been made that the submittal constitutes a complete filing.

The small power production facility will be located in Inkerman, Pennsylvania. The facility will consist of two circulating fluidized-bed boilers and an extraction/condensing turbine generating unit. Extraction steam produced by the facility will be sold to Green Mall, Ltd. for use in heating ten one-acre greenhouses. The net electric power production capacity of the facility will be 80 MW. The primary energy source will be anthracite culm. The installation of the facility will begin on or about January 31, 1987.

3. Peat Products of America, Inc.

[Docket No. QF86-439-002]

September 5, 1986.

On August 28, 1986, Peat Products of America, Inc. (Applicant), of 23 Franklin Street, Bangor, Maine 04401, submitted for filing an application for recertification of a facility as a qualifying small power production facility pursuant to § 292.207 of the Commission's regulations. No determination has been made that the submittal constitutes a complete filing.

The Applicant filed for recertification to reflect a change in ownership and an increase in the electric power production capacity of the facility. The proposed net electric power production capacity of the facility will be 22.8 MW (The original net electric power production capacity was 21 MW). The ownership will be transferred from Down East Peat, Ltd. to Down East Peat, L.P., a limited partnership organized in Delaware.

Standard Paragraphs

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb.

Secretary.

[FR Doc. 86-20487 Filed 9-10-86; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. CP86-698-000 et al.]

Natural Gas Certificate Filings; North Penn Gas Co. et al.

Take notice that the followings filings have been made with the Commission:

1. North Penn Gas Co.

[Docket No. CP86-698-000]

September 3, 1986.

Take notice that on August 25, 1986, North Penn Gas Company (North Penn), 76-80 Mill Street, Port Allegany, Pennsylvania 16743, filed in Docket No. CP86-698-000 an application pursuant to section 7(c) of the Natural Gas Act for a limited-term certificate of public convenience and necessity with pre-granted abandonment and a temporary certificate authorizing North Penn to provide storage service to Transco Gas Services Company, Inc. (Transco), for a one-year period, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

North Penn states that the storage service would provide Transco with the right to store 5,000 Mcf of natural gas on a peak day and 500,000 Mcf of natural gas on a seasonal basis in the Wharton field in Potter and Cameron Counties, Pennsylvania. The Wharton field is owned and operated jointly by Transcontinental Gas Pipeline Corporation and United Natural Gas Company (United). North Penn has a contract with United that entitles North Penn to store 10,000 Mcf of natural gas on a daily basis and 1,000,000 Mcf of gas on an annual basis in the Wharton field. The proposed storage service for Transco would be provided to Long Island Lighting Company (LILCO) by Transco as proposed in Docket No. CP86-673-000.

North Penn states that the proposed storage service would be governed by the rates, terms and conditions that are contained in a currently pending settlement agreement in North Penn's most recent rate case, Docket No. RP85-193-000. It is stated that the proposed storage service is conditioned on acceptance without modificaiton of this settlement agreement.

North Penn requests that the Commission dispose of the application in accordance with the shortened

procedure as provided in § 385–802 of the Commission's Rules of Practice and Procedure.

Comment date: September 18, 1986, in accordance with Standard Paragraph F at the end of this notice.

2. ANR Pipeline Company

[Docket No. CP84–462–004]

September 4, 1986.

Take notice that on August 13, 1986, ANR Pipeline Company (Petitioner), 500 Renaissance Center, Detroit, Michigan 48243, filed in Docket No. CP84–462–004 a petition to amend the order issued on April 3, 1985, in Docked No. CP84–462–000, issuing a certificate of public convenience and necessity pursuant to section 7(c) of the Natural Gas Act, which authorized transportation of up to 20,000 Mcf of natural gas per day (Mcfd) on a firm basis for Bridgeline Gas Distribution Company (Bridgeline), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Petitioner states that on March 7, 1986, Petitioner and Bridgeline executed the fourth amendment to the transportation agreement dated July 19, 1983, to reduce the amounts of gas subject to transportation. Petitioner proposes to modify the Commission order to reduce the level of contract demand service on November 1, 1986, to 18,000 Mcf of gas per day and, if Bridgeline so elects, to further reduce contract demand to 14,000 Mcf of gas per day, effective on November 1, 1989.

Comment date: September 25, 1986, in accordance with Standard Paragraph F at the end of this notice.

3. Arkla Energy Resources, a Division of Arkla, Inc.

[Docket No. CP86–690–000]

September 4, 1986.

Take notice that on August 25, 1986, Arkla Energy Resources (AER), a division of Arkla, Inc., P.O. Box 21734, Shreveport, Louisiana 71151, filed in Docket No. CP86–690–000, a request pursuant to § 157.205 of the Commission's Regualtions under the Natural Gas Act (18 CFR 157.205) for authorization to construct and operate taps and related jurisdictional facilities necessary to enable AER to deliver natural gas from jurisdictional pipelines to consumers served by Arkansas Louisiana Gas Company (ALG), a division of Arkla, Inc., under the certificate issued in Docket Nos. CP82–384–000 and CP82–384–001 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

It is stated that AER proposes to construct and operate: (1) A sales tap on its Line AM–22 in Garland County, Arkansas, to deliver gas to ALG's rural extension No. 174 for distibution to approximately 149 retail customers who would use an aggregate amount of gas estimated at about 13,261 Mcf of gas per year, and 459 Mcf of gas on a peak day; (2) a sales tap on its Line T in Monroe County, Arkansas to deliver gas to ALG's rural extension No. 1193 for distribution to approximately 35 retail customers who would use an aggregate amount of gas per year, and 36 Mcf of gas on a peak day; (3) a sales tap on its Line AM–165 in Howard County, Arkansas, to deliver gas to ALG's rural extension No. 1194 for distribution to approximately 40 retail customers who would use an aggregate amount of gas estimated at about 10,000 Mcf of gas per year and 68 Mcf of gas on a peak day.

AER states that the gas would be delivered from its general system supply, which it is stated is adequate to provide the service.

Comment date: October 20, 1986, in accordance with Standard Paragraph G at the end of this notice.

4. Colorado Interstate Gas Company

[Docket No. CP86–695–000]

September 4, 1986.

Take notice that on August 25, 1986, Colorado Interstate Gas Company (CIG), Post Office Box 1087, Colorado Springs, Colorado 80944, filed in Docket No. CP86–695–000 a request pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205), for authority to construct and operate new delivery points to Northern Gas Division of K N Energy, Inc. (Northern Gas) in Albany County, Wyoming, and Eastern Colorado Utility Company (Eastern Colorado) in Adams County, Colorado, and for authority to revise certain Maximum Daily Volume Obligation (MDVO) and delivery pressures for Public Service Company of Colorado (PSCo), all as more fully set forth in the request which is on file with the Commission and open to public inspection.

CIG states that the volumes of gas to be delivered by CIG to Northern Gas and Eastern Colorado at the new delivery points would be within the volumes that CIG is currently authorized to sell and deliver to those customers. CIG further states that the revised MDVO and delivery pressures for PSCO would result in no change to the volumes which CIG is authorized to sell and deliver to PSCO. CIG alleges that no change in any total daily or annual entitlement is proposed by this request. CIG indicates it would experience no impact on its peak day or annual sales resulting from the proposed new delivery points or revised MDVO and delivery pressures, and the changes can be accommodated by CUG's existing transmission system without detriment or disadvantage to CIG's other customers.

Comment date: October 20, 1986, in accordance with Standard Paragraph G at the end of this notice.

5. Iowa-Illinois Gas and Electric Company

[Docket No. CP86–688–000]

September 4, 1986.

Take notice that on August 21, 1986, Iowa-Illinois Gas and Electric Company (Applicant), P.O. Box 4350, Davenport, Iowa 52808, filed in Docket No. CP86–688–000 an application requesting that the Commission issue a certificate pursuant to section 7(f) of the Natural Gas Act describing the service area in which Applicant may enlarge or extend its facilities without further authorization from the Commission, a blanket certificate pursuant to Order No. 63 authorizing Applicant to engage in self-implemented transportation of customer-owned volumes of natural gas to end-users in the area to be certificated, and a declaration that the Applicant is a local distribution company in the area to be certificated for the purpose of Section 311 of the Natural Gas Policy Act and the Commission's regulations promulgated thereunder, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant's request pertains to the area described in the application consisting of all of Scott County, Iowa, a portion of Muscatine County, Iowa, and a portion of Rock Island County, Illinois. Applicant states it is engaged in the distribution of natural gas for residential, commercial and industrial use in the states of Iowa and Illinois and is the only distribution utility providing natural gas service in the area which is the subject of the application. Applicant further states it makes no sales for resale and has no gas rates on file with this Commission. Applicant states its rates, services, and facilities in the State of Illinois are regulated by the Illinois Commerce Commission and that its rates, services, and facilities in the State of Iowa are regulated by the Utilities Board of the Iowa Department of Commerce.

Applicant states that a complete copy of this filing has been mailed to the Utilities Board of the Iowa Department

of Commerce and the Illinois Commerce Commission.

Comment date: September 25, 1986, in accordance with Standard Paragraph F at the end of this notice.

6. Pacific Interstate Transmission Company

[Docket No. CP86-689-000]

September 4, 1986.

Take notice that on August 22, 1986, Pacific Interstate Transmission Company (Applicant), 720 West Eight Street, Los Angeles, California 90017, filed in Docket No. CP86-689-000 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon its sale for resale certificate to Southern California Gas Company under its Rate Schedule SG-1, and to cancel its purchased gas adjustment clause (PGA), both to be effective on or before March 1, 1988.

It is stated that the abandonment should coincide with termination of Applicant's purchase gas agreements the first of which occurs in October, 1986, with the final termination occuring in February, 1988. The Applicant states that the reason the contracts are being terminated is the inability of the Applicant to renegotiate the agreements with the producer to a price its customer is willing to pay, and, further, the small amounts of gas involved.

The Applicant states that its Purchase Gas Adjustment should be cancelled when the final abandonment occurs as all of the gas supply covered by the PGA will be eliminated when final abandonment takes place.

The Applicant further states that a waiver of any regulations necessary to accomplish the requested abandonment and cancellation of tariff sheets is requested.

Comment date: September 25, 1986, in accordance with Standard Paragraph F at the end of this notice.

7. Southern Natural Gas Company

[Docket No. CP86-686-000]

September 4, 1986.

Take notice that on August 20, 1986, Southern Natural Gas Company (Applicant), P.O. Box 2563, Birmingham, Alabama 35202-2563, filed in Docket No. CP86-686-000 an application pursuant to section 7 of the Natural Gas Act for a limited-term certificate of public convenience and necessity authorizing the transportation of natural gas for Alabama Gas Corporation (Alagasco), acting as agent for certain of its industrial and commercial end-use customers (End-Users), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to transport, on an interruptible basis, up to 90 billion Btu equivalent of natural gas per day on behalf of Alagasco, acting as agent for the End-Users, for a term of one year from the date of the Commission's order. It is stated that Alagasco, as agent for the End-Users, would purchase such gas from SNG Trading, Inc. It is explained that Applicant would receive the gas at existing points of interconnection on Southern's system as specified in Exhibit A to the transportation agreement and deliver it to Alagasco for further transportation to the respective plants of the End-Users (See Appendix for list of End-Users and volumes to be transported).

Applicant states that Alagasco has agreed to pay the following transportation charge:

(a) Where the aggregate of the volumes transported and redelivered by Applicant on any day to Alagasco under any and all transportation agreements with Applicant, excluding that certain long-term transportation agreement among Applicant, Alagasco, and Alabama Intrastate Supply, dated October 1, 1984, when added to the volumes of gas delivered under Applicant's OCD Rate Schedule on such day to Alagasco do not exceed the daily contract demand of Alagasco, the transportation rate would be 39.9 cents per million Btu equivalent; and

(b) Where the aggregate of the volumes transported and redelivered by Applicant on any day to Alagasco under any and all transportation agreements with Applicant, excluding that certain long-term transportation agreement among Applicant, Alagasco, and Alabama Intrastate Supply, dated October 1, 1984, when added to the volumes of gas delivered under Applicant's OCD Rate Schedule on such day to Alagasco exceed the daily contract demand of Alagasco, the transportation rate for the excess volumes would be 64.9 cents per million Btu equivalent.

Applicant proposes to charge Alagasco the currently effective GRI surcharge. Applicant also proposes to retain 3.25 percent of the volume transported for fuel use.

Applicant also requests flexible authority to provide transportation from additional delivery points in the event Alagasco obtains alternative sources of supply of natural gas. The additional transportation service would be to the same redelivery point, the same recipient, and within the same maximum daily transportation volume of gas as stated in the application.

Applicant states that the transportation service would enable the End-users to diversify their natural gas supply sources and to obtain gas at competitute prices. In addition, Applicant states that it would obtain take-or-pay relief on the gas that Alagasco may obtain from Applicant's suppliers. Applicant indicates that it would release for resale by others gas in the Natural Gas Policy Act categories 102(c), 103 and 107. Applicant further indicates that it would also release gas that is subject to the Commission's jurisdiction under the Natural Gas Act upon receipt by Applicant's producer-supplier of appropriate abandonment authorization.

APPENDIX

End users	Agency agreement date	Estimated transportation [1] quantity
Anniston Area:		
APAC-Alabama, Inc., Anniston, Alabama.	Jul. 10, 1986	100
Blue Mountain Industries, Anniston, Alabama.	do	150
FMC Corporation, Anniston, Alabama.	do	500
National Aluminum, Anniston, Alabama.	do	300
National Gypsum, Anniston, Alabama.	do	2,000
Northeast Regional Medical Center, Anniston, Alabama.	do	120
Post Engineer, Anniston, Alabama.	do	1,800
Southern Tool, Inc., Anniston, Alabama.	do	200
U.S. Pipe & Foundry Co., Anniston, Alabama.	do	400
Birmingham Area:		
Allied Products Company, Birmingham, Alabama.	Jul. 10, 1986	10,000
APAC-Alabama, Inc., Birmingham, Alabama.	do	130
Barna Company, Birmingham, Alabama.	do	150
Barber Milk Company, Birmingham, Alabama.	do	150
Baptist Medical Center Central Laundry, Birmingham, Alabama.	do	100
Baptist Medical Center Montclair, Birmingham, Alabama.	do	360
Baptist Medical Center Princeton, Birmingham, Alabama.	do	190
Birmingham Steel Corp., Birmingham, Alabama.	do	850
Brookwood Medical Center, Birmingham, Alabama.	do	200
C.B.I., Inc., Birmingham, Alabama.	do	110
Carraway Methodist Medical Center, Birmingham, Alabama.	do	350

APPENDIX—Continued

End users	Agency agreement date	Estimated transportation [1] quantity
Celotex Corporation, Birmingham, Alabama.	Jul. 10, 1986	130
Central Laundry Services, Birmingham, Alabama.	do	230
Cosby Hodges Company, Birmingham, Alabama.	do	280
Dunn Construction Co., Inc., Birmingham, Alabama.	do	150
General Foods Mfg. Corp., Birmingham, Alabama.	do	230
Gold Kist, Inc., Birmingham, Alabama.	do	450
Hanna Steel Corp., Birmingham, Alabama.	do	140
Hayes International Corp., Birmingham, Alabama.	do	370
Jefferson Co. Commission Cooper Green Hospital, Birmingham, Alabama.	do	100
Jim Walter Resources, Inc., Birmingham, Alabama.	do	1,000
McWane Cast Iron Pipe Co., Birmingham, Alabama.	do	870
Metalplate Galvanizing, Inc., Birmingham, Alabama.	do	180
Metro Metals, Inc., Birmingham, Alabama.	do	210
National Linen, Birmingham, Alabama.	do	110
PEROX, Inc., Birmingham, Alabama.	do	320
Polymer Coil Coaters, Birmingham, Alabama.	do	290
Rex International, Birmingham, Alabama.	do	200
Rock Wool Mfg. Co., Leeds, Alabama.	do	160
Samford University, Birmingham, Alabama.	do	210
St. Vincent's Hospital, Birmingham, Alabama.	do	320
SONAT, Birmingham, Alabama.	do	1,900
Thomas Foundries, Inc., Birmingham, Alabama.	do	220
University of Alabama in Birmingham, Birmingham, Alabama.	do	1,660
Unitog Company, Birmingham, Alabama.	do	130
W.J. Bullock, Inc., Birmingham, Alabama.	do	190
Gadsden Area:		
AAA Plumbing Pottery Corp., Gadsden, Alabama.	do	340
Amcast Industrial Corp., Gadsden, Alabama.	do	200
Baptist Hospital, Gadsden, Alabama.	do	190
Calhoun Asphalt Co., Inc., Gadsden, Alabama.	Jul. 10, 1986	400
EMCO, Gadsden, Alabama.	do	150
Flowers Baking Co., Gadsden, Alabama.	do	100
Gulf States Steel, Inc., Gadsden, Alabama.	do	17,000
Holy Name of Jesus Hospital, Gadsden, Alabama.	do	140
Spring Valley Foods, Inc., Gadsden, Alabama.	do	270
Montevallo Area:		
Metrock Steel & Wire Company, Inc., Montevallo, Alabama.	do	110
Montgomery Area:		
Colonial Bread Company, Montgomery, Alabama.	do	100
Dana Corp. (Highway 80), Montgomery, Alabama.	do	500
Dixie Darling Bakers, Inc., Montgomery, Alabama.	do	250
General Electric Company, Montgomery, Alabama.	do	1,500
Gunter Field, Montgomery, Alabama.	do	390
Maxwell AFB, Montgomery, Alabama.	do	1,730
St. Margaret's Hospital, Montgomery, Alabama.	do	200
Opelika District:		
Auburn University, Auburn, Alabama.	do	1,630
Dexter Lock, Auburn, Alabama.	do	100
Diversified Products, Opelika, Alabama.	do	350
East Ala. Medical Center, Opelika, Alabama.	do	120
East Ala. Paving Co., Inc., Opelika, Alabama.	do	180
Opelika Industries, Opelika, Alabama.	do	250
Tuskeegee Institute, Tuskeegee, Alabama.	do	940
VA Hospital, Tuskeegee, Alabama.	do	520
Selma Area:		
All Lock Co., Inc., Selma, Alabama.	do	130
American Candy Manufacturing, Inc., Selma, Alabama.	do	100
Hammermill Paper Company, Selma, Alabama.	do	6,080
R.L. Ziegler Co., Inc., Selma, Alabama.	do	120
Talladega Area:		
Crown Textile, Talladega, Alabama.	do	500
Image Yarns, Inc., Talladega, Alabama.	do	100
Wehadkee Yarn Mills, Inc., Talladega, Alabama.	do	210
Tuscaloosa Area:		
Bryce Hospital, Tuscaloosa, Alabama.	do	500
DCH Medical Center, Tuscaloosa, Alabama.	do	300
Elk Corporation, Tuscaloosa, Alabama.	do	120
Hunt Oil Company, Tuscaloosa, Alabama.	Jul. 10, 1986	2,000
Koppers Co., Inc., Tuscaloosa, Alabama.	do	150
Ray Loper Lumber Co., Tuscaloosa, Alabama.	do	210
Partlow School, Tuscaloosa, Alabama.	do	190
Sullivan Lumber Co., Inc., Tuscaloosa, Alabama.	do	250
Tuscaloosa Steel Corp., Tuscaloosa, Alabama.	do	4,000
VA Hospital, Tuscaloosa, Alabama.	do	190
Total		70,940

[1] The Transportation Quantity is an estimated average daily volume in MMBtu for each end-user, and therefore the total of these Quantities does not exactly equal the Transportation Quantity in the Agreement.

Comment data: September 25, 1986, in accordance with Standard Paragraph F at the end of this notice.

8. Tennessee Gas Pipeline Company, a Division of Tenneco Inc.

[Docket No. CP86-647-000]

September 4, 1986.

Take notice that on July 31, 1986, Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee), P.O. 2511, Houston, Texas 77001, filed in Docket No. CP86-647-000 an application pursuant to section 7(c) of the National Gas Act for a certificate of public convenience and necessity authorizing an interruptible transportation service for Mobil Oil Exploration & Producing Southeast Inc. (MOEPSI), Mobil Oil Exploration and Producing North America, Inc. (MEPNA), and Mobil Producing Texas and New Mexico, Inc. (MPTM), herein referred to collectively as Mobil, pursuant to the terms of a gas transportation agreement between Tennessee and Mobil dated July 28, 1986 (Agreement), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Pursuant to the provisions of the Agreement, Tennessee requests authority to receive on an interruptible basis, up to 162,000 dt equivalent of natural gas per day for the account of Mobil from the following receipt points and to deliver thermally equivalent quantities (less any quantities retained for Tennessee's fuel and uses, gas lost and unaccounted for, and plant thermal reduction due to processing) for the account of Mobil at the following delivery points:

Point(s) of receipt	Point(s) of delivery
(1) Tennessee's Meter Nos. 1-1294 and/or 2-0562 South Pass 77-A, offshore Louisiana (SP 77-A).	To Columbia Gas Transmission Company at Tennessee's Meter No. 1-1034 near Egan in Acadia Parish, LA (Egan-B).
(2) Tennessee's Meter Nos. 1-1380 at Mississippi Canyon 148-A, offshore Louisiana (MC-148-1A).	Egan-B.
(3) Tennessee's Meter Nos. 1-9007 at South Timbalier 50-A, offshore Louisiana (ST 50-A).	Egan-B.
(4) Tennessee's Meter Nos. 1-9012 at South Timbalier 34-A, offshore Louisiana (ST 34-A).	Egan-B.
ST 34-A	To Texas Gas Transmission Company at Tennessee's Meter No. 2-8002 near Egan in Acadia Parish, Louisiana (Egan-D).
ST 34-A	To Texas Eastern Transmission Company at Tennessee's Meter No. 2-0528 near Old Lady Lake in Terrebonne Parish, Louisiana (Old Lady Lake).
(5) Tennessee's Meter Nos. 1-1135 and/or 1-1750 at South March Island 243 C&A, offshore Louisiana (SMI 243 C/A).	Egan-B.
SMI 243 C/A	Egan-D.
SMI 243 C/A	Old Lady Lake.
(6) Tennessee's Meter No. 1-1308 at South Marsh Island 244A, offshore Louisiana (SMI 244-A).	Egan-B.
SMI 244-A	Egan-D.
SMI 244-A	Old Lady Lake.
(7) Tennessee's Meter No. 1-9002 at South Timbalier 36-B, offshore Louisiana (ST 36-B).	Egan-B.
ST 36-B	Egan-D.
ST 36-B	Old Lady Lake.
(8) Tennessee's Meter No. 1-1589 at Sabine Pass 10-JA, offshore Louisiana (SA 10-JA).	Egan-B.
SA 10-JA	Egan-B.
SA 10-JA	Old Lady Lake.
(9) Tennessee's Meter No. 1-1723 at South Pass 49-A, offshore Louisiana (SP 49-A).	Egan-B.
SP 49-A	Egan-D.
SP 49-A	Old Lady Lake.
(10) Tennessee's Meter No. 1-1182 at Ship Shoal 182-C, offshore Louisiana (SS 182-C).	Egan-B.
SS 182-C	Egan-D.
SS 182-C	Old Lady Lake.
(11) Tennessee's facilities at High Island 39-A, offshore Texas (HI 39-A).	Egan-B.
HI 39-A	Egan-D.
HI 39-A	Old Lady Lake.
(12) Tennessee's Meter No. 1-1662 near Mud Lake in Cameron Parish, Louisiana (Mud Lake).	Egan-B.
Mud Lake	Egan-D.
Mud Lake	Old Lady Lake.
(13) Tennessee's facilities in Bovina Field, Warren County, Mississippi (Bovina).	To United Gas Pipe Line Company at Tennessee's Meter No. 5-0110 (UGPL/Bovina).
(14) Tennessee's facilities in the Oakridge Field, Warren County, Mississippi (Oakridge).	UGPI/Bovina.
(15) Tennessee's facilities in the Lac Blanc Field, Vermilion Parish, Louisiana (Lac Blanc).	To Superior Offshore Pipeline Company in Vermilion Parish, Louisiana (SOPCO).

Tennessee requests authority to charge Mobil for the proposed transportation service a quantity charge equal to the applicable cost-based rate multiplied by the total quantity in dekatherms of gas delivered by Tennessee for the account of Mobil at each delivery point as shown in Exhibit P-2 of the application.

Tennessee requests authority to collect the effective GRI surcharge for all deliveries to SOPCO. For all other deliveries, the interstate pipeline to whom Tennessee delivers the gas for the account of Mobil would collect the applicable GRI surcharge.

Tennessee also requests authority to transport the liquid and liquefiable hydrocarbons associated with the natural gas tendered for transportation.

Pursuant to Article VI of the Agreement, Tennessee proposes to install hot taps at an estimated cost of $77,900 which Tennessee alleges are necessary for Tennessee to receive gas at the Bovina, Lac Blanc and High Island 39-A point(s) of receipt. Mobil shall reimburse Tennessee for all costs, both direct and indirect, incurred by Tennessee for such facilities and installation. Tennessee alleges that no certification authority is required for these receipt taps under § 2.55(d) of the Commission's Regulations.

Tennessee states that the interstate pipelines to whom Tennessee proposes to deliver the gas for the account of Mobil would provide the necessary transportation services for Mobil under section 311 of the Natural Gas Policy Act of 1978, either pursuant to waivers of § 284.10(a)(1) of the Commission's Regulations granted on June 27, 1986, or pursuant to Order No. 436 blanket transportation certificates. Tennessee further states that the subject supplies would be delivered to several end-users, as indicated in an August 26, 1986, letter filed with the Commission in this docket.

Comment date: September 25, 1986, in accordance with Standard Paragraph F at the end of this notice.

9. Tennessee Gas Pipeline Company, a Division of Tenneco Inc.

[Docket No. CP86-662-000]

September 4, 1986.

Take notice that on August 8, 1986, Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee), P.O. Box 2511, Houston, Texas, 77001, filed in Docket No. CP86-662-000 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing an interruptible transportation service for Tenneco Oil Company (TOC), pursuant to the terms of a gas transportation agreement between Tennessee and TOC dated August 8, 1986 (Agreement), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Pursuant to the provisions of the Agreement, Tennessee requests authority to receive on an interruptible basis up to 500,990 dt equivalent of natural gas per day for the account of TOC from the following receipt points:

1. The existing interconnection between the facilities of Tennessee and TOC at Tennessee's Meter No. 1-1180 located at TOC's Ship Shoal Block 198-H platform, offshore Louisiana.

2. The existing interconnection between the facilities of Tennessee and TOC at Tennessee's Meter No. 1-1802 located at TOC's Ship Shoal Block 198-J platform, offshore Louisiana.

3. The existing interconnection between the facilities of Tennessee and TOC at Tennessee's Meter No. 1-1936 located at TOC's Ship Shoal Block 198-F platform, offshore Louisiana.

4. The existing interconnection between the facilities of Tennessee and TOC at Tennessee's Meter No. 1-0957 located at TOC's Ship Shoal Block 199-E platform, offshore Louisiana.

5. The existing interconnection between the facilities of Tennessee and TOC at Tennessee's Meter No. 1-1119 located at TOC's South Marsh Island Block 61-C platform, offshore Louisiana.

6. The existing interconnection between the facilities of Tennessee and TOC at Tennessee's Meter No. 1-1412 located at TOC's South Marsh Island Block 61-D platform, offshore Louisiana.

7. The existing interconnection between the facilities of Tennessee and TOC at Tennessee's Meter No. 1-1091 located at TOC's South Marsh Island Block 61-B platform, offshore Louisiana.

Tennessee requests authority to transport and deliver equivalent quantities (less fuel and uses and gas lost and unaccounted for) to Columbia Gulf Transmission Company for TOC at the following delivery points:

1. The existing interconnection between Tennessee's 523M-4000 line and the Ship Shoal Block 198 central gathering platform (Ship Shoal 198-H) (Blue Water Header).

2. The existing interconnection between Tennessee's 523M-1200 line and the east leg of the Blue Water System located in Ship Shoal Block 198 (Ship Shoal 198-F) (Blue Water East Leg).

3. The existing interconnection between Tennessee's 523M-7200 line and the east leg of the Blue Water System located in Ship Shoal Block 198 (Ship Shoal 198-J) (Blue Water East Leg).

4. The existing interconnection between Tennessee's 523M–800 line and the the Blue Water Header located in Ship Shoal Block 199 (Ship Shoal 199–E) (Blue Water Header).

5. The existing interconnection between Tennessee's 523M–4300 line and the the Blue Water Header located in South March Island Block 76 (South Marsh Island 61–C) (Blue Water Header).

6. The existing interconnection between Tennessee's 523M–4300 line and the the Blue Water Header located in South March Island Block 76 (South Marsh Island 61–D) (Blue Water Header).

7. The existing interconnection between Tennessee's 523M–1300 line and the the Blue Water Header located in South March Island Block 76 (South Marsh Island 61–B) (Blue Water Header).

Tennessee proposes to charge for this transportation service a quantity charge equal to the applicable cost-based rate multiplied by the total quantity in dekatherms of natural gas delivered by Tennessee for the account of TOC at each delivery point. Tennessee states that the interstate pipeline to whom it delivers the gas for the account of TOC would collect the applicable GRI surcharge.

Tennessee requests authority to transport the liquid hydrocarbons associated with the natural gas tendered for the transportation.

Tennessee provided in a letter filed with the Commission in this docket on August 28, 1986, its best estimate of potential end-users with maximum daily takes of the TOC gas supplies. Tennessee states in this letter that in order to sustain markets for its gas and avoid shutting-in production, TOC indicates that it would need flexibility to (1) add or delete customers and (2) increase or decrease maximum daily quantities to each customer.

Comment date: September 25, 1986, in accordance with Standard Paragraph F at the end of this notice.

10. Texas Eastern Transmission Corporation

[Docket No. CP86–691–000]

September 4, 1986.

Take Notice that on August 25, 1986, Texas Eastern Transmission Corporation (Applicant) P.O. Box 2521, Houston, Texas 77252, filed an application in Docket No. CP86–691–000 pursuant to section 7(c) of the Natural Gas Act for authority to render a transportation service for Texaco Inc. (Texaco), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that Texaco has requested Bridgeline Gas Distribution Company (Bridgeline), an intrastate pipeline, to transport natural gas from the Lake Barre and Caillou Island Fields located in Terrebonne Parish, Louisiana to Texaco's Paradis Gas Processing Plant (Paradis Plant) in St. Charles Parish, Louisiana. Applicant asserts that since Bridgeline does not have facilities in these areas, Applicant and Texaco entered into a Gas Transportation Agreement ("Agreement") dated May 2, 1986 in which Applicant agreed to transport Texaco's gas from Lake Barre and Caillou Island, and deliver it to Bridgeline, for the account of Texaco, at a point near Larose in Lafourche Parish, Louisiana for subsequent redelivery by Bridgeline to Texaco at their Paradis Plant.

Pursuant to the terms and conditions of the Agreement, Applicant requests authorization to transport for Texaco, on an interruptible basis, up to a Maximum Daily Quantity of 300,000 dekatherms (dth) of natural gas, less Applicable Shrinkage, and such additional daily quantities of natural gas in excess of the Maximum Daily Quantity as Applicant, in its sole judgement, determines it is able to receive, transport, and deliver on any given day.

Applicant further requests that the authorization granted under the application be limited to a term commencing upon acceptance of the certificate and terminating on and including October 31, 1990, and that such authorization be subject to the right of pregranted abandonment at the end of such term.

Applicant states that Texaco will deliver Lake Barre gas to Applicant at a proposed point of interconnection of the pipelines of Applicant and Texaco on Applicant's Line #40–E in Terrebonne Parish, Louisiana. Texaco will deliver the Caillou Island gas to Applicant at proposed interconnections at the terminus of Applicant's Line #40–E. Applicant will transport Texaco's gas and deliver it to Bridgeline, for Texaco's account, at a proposed point of interconnection of Applicant's Line #40 near Larose in Lafourche Parish, Louisiana.

Applicant further states that only facilities it will be required to install are tap facilities at the receipt and delivery points at an estimated cost of $338,000. Texaco will reimburse Applicant for the cost of these facilities.

Bridgeline and Texaco will construct, own and operate measuring and regulating facilities at the receipt and delivery points.

For the transportation service, Applicant will charge Texaco its effective TS–3 rate for 0–200 miles of haul in Zone A, plus an applicable GRI surcharge. Based on rates currently in effect, Texaco will pay Applicant a transportation charge of $0.0903 per dekatherm, consisting of a TS–3 rate of $0.0772 and a GRI surcharge of $0.0131.

Comment date: September 25, 1986, in accordance with Standard Paragraph F at the end of this notice.

11. Texas Gas Transmission Corporation, Texas Gas Exploration Corporation

[Docket No. CP84–31–002]

September 4, 1986.

Take notice that on August 21, 1986, Texas Gas Transmission Corporation (Texas Gas), 3800 Frederica Street, Owensboro, Kentucky 42301 and Texas Gas Exploration Corporation (Exploration), Houston Center, Suite 2000, 909 Fannin Street, Houston, Texas 77201, (hereinafter collectively referred to as petitioners) filed in Docket No. CP84–31–002 a petition to amend the order issued in Docket No. CP84–31–000 *et al.*, on April 23, 1984 pursuant to section 7(c) of the Natural Gas Act so as to authorize the exchange of natural gas between the petitioners from time to time, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioners state that by Commission order issued April 23, 1984 in Docket No. CP84–31–000 *et al.*, Texas Gas was authorized to transport for direct sale up to 20,000 Mcf of natural gas per day to Exploration on an interruptible basis.

Petitioners now request the Commission to amend the certificate of public convenience and necessity issued which authorizes the transportation and direct sale of natural gas by Texas Gas to Exploration. It is said that the price Exploration is presently obligated to pay for the gas is a price per MMBtu equal to Texas Gas' system average cost per MMBtu to all gas purchased during the preceding month plus Texas Gas' currently effective transportation charge for the gas purchased. It is further said that Texas Gas and Exploration now seek to institute the exchange option described in the original application so that Texas Gas and Exploration may elect to have the gas sold under their gas sales agreement exchanged with a volume of gas containing an equivalent quantity of Btus at the Eunice gas processing plant or a mutually agreeable point on Texas Gas' transmission system. Petitioners indicate that such an

exchange would be on a therm-for-therm basis.

Petitioners state that the sources of the gas to be exchanged by Exploration include, but are not limited to, those sources listed in the application. Petitioners state further that the gas to be exchanged by Exploration would be limited to: (1) Gas which has been price deregulated pursuant to Section 121 of the Natural Gas Policy Act of 1978; or (2) gas for which the applicable maximum lawful price exceeds the Natural Gas Policy Act, Section 109 maximum lawful price, provided, however, that the maximum lawful price of such gas would always exceed Texas Gas' system average cost per MMBtu of all gas purchased during the preceding month. Exploration, it is said, would continue to pay Texas Gas' currently effective transportation charge in addition to any charges assessed by third party transporters for the transportation of the exchanged gas.

Comment date: September 25, 1986, in accordance with the first subparagraph Standard Paragraph F at the end of this notice.

12. Texas Gas Transmission Corporation

[Docket No. CP86-684-000]

September 4, 1986.

Take notice that on August 21, 1986, Texas Gas Transmission Corporation (Texas Gas), 3800 Frederica Street, Owensboro, Kentucky 42301, filed in Docket No. CP86-684-000, a request pursuant to §§ 157.205 and 157.212 of the Regulations under the Natural Gas Act (18 CFR 157.205 and 157.212) to add a new delivery point to the City of Covington, Tennessee (Covington), in Tipton County, Tennessee, under the authorization issued to it in Docket No. CP82-407-000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request on file with the Federal Energy Regulatory Commission (Commission) and open to public inspection.

Texas Gas states that it currently makes natural gas sales to Covington pursuant to a service agreement dated April 7, 1986. It is stated that the proposed new delivery point would be constructed, owned, maintained and operated by Texas Gas and would be located on its Shelby County-Ripley 10-inch pipeline near the Rialto Industrial Park approximately three (3) miles northeast of the city limits of Covington in Tipton County, Tennessee. Texas Gas advises that such natural gas would be consumed by a new industrial plant which would be constructed in the Rialto Industrial Park in the near future.

The proposed maximum annual quantity of natural gas to be delivered to Covington at the new delivery point is expected to be 5,000 billion Btu equivalent, with a maximum daily quantity of 20 million Btu equivalent. Texas Gas states that the amounts are so small that the addition of such would have a *de minimus* effect on its peak day and annual deliveries. Texas Gas further states that the addition of this new delivery point would not result in an increase in Covington's existing Contract Demand or Quantity Entitlements. Finally, Texas Gas advises that service to Covington through this new delivery point could be accomplished without detriment to its other customers.

Comment date: October 20, 1986, in accordance with Standard Paragraph G at the end of this notice.

13. Texas Gas Transmission Corporation

[Docket No. CP86-692-000]

September 4, 1986.

Take notice that on August 25, 1986, Texas Gas Transmission Corporation (Texas Gas), 3800 Frederica Street, Owensboro, Kentucky 42301, filed in Docket No. CP86-692-000, a request pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) to add a new delivery point to Peoples Gas and Power Co., Inc. (Peoples), in Greene County, Indiana under the authorization issued to it in Docket No. CP82-407-000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request on file with the Commission and open to public inspection.

Texas Gas asserts that it currently makes natural gas sales to Peoples pursuant to a Service Agreement dated February 25, 1986. Texas Gas stated that the proposed new delivery point will be constructed, owned, maintained and operated by Texas Gas and will be located near the terminus of Texas Gas' Bee-Hunter 2-inch pipeline approximately one and six-tenths miles (1.6) northeast of the Town of Lyons, in Greene County, Indiana.

Texas Gas asserts that the proposed maximum annual quantity of natural gas to be delivered to Peoples at the new delivery point is approximately 15.0 billion Btu equivalent, with a daily minimum quantity of 200 million Btu. It is stated that such natural gas will be consumed by People's existing natural gas customers in and around the rural community of Lyons where Peoples has experienced peak day delivery problems in recent years.

Texas Gas asserts that the addition of this new delivery point will not result in an increase in Peoples' existing contract demand or quantity entitlements. Furthermore, Texas Gas indicates that service to Peoples through this new delivery point can be accomplished without detriment to Texas Gas' other customers. Texas Gas states that the amount of natural gas proposed to be delivered at the new delivery point is so small that the addition of such will have a *de minimus* effect on Texas Gas' peak day and annual deliveries.

Comment date: October 20, 1986, in accordance with Standard Paragraph G at the end of this notice.

14. Washington Gas Light Company

[Docket No. CP86-693-000]

September 4, 1986.

Take notice that on August 25, 1986, the Washington Gas Light Company (Applicant), 1100 H Street, NW., Washington, DC 20080, filed in Docket No. CP86-693-000 an application pursuant to section 1(b) of the Natural Gas Act for a disclaimer of jurisdiction of customer-owned gas in Applicant's service area, or, in the alternative, for a blanket certificate pursuant to the Natural Gas Policy Act of 1978 and § 284.224 of the Commission's Regulations, requesting that the Commission defer to the several state regulatory commissions in establishing rates, terms and conditions for such service, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it would accept customer-owned gas at its interconnections with its pipeline suppliers, Columbia Gas Transmission Corporation and Transcontinental Gas Pipe Line Corporation, and distribute such gas via its three operating divisions to its retail customers on an interruptible basis. Applicant states that District of Columbia Gas Natural Gas (DCNG), a Division of Washington Gas Light Company, has filed with the Public Service Commission of the District of Columbia (P.S.C.) an application for authority to provide such service to customers located within the P.S.C.'s jurisdiction under rates, terms and conditions set forth in the proposed rate schedule included in such application. A copy of such application is filed as Exhibit Z-1 of the Applicant's application to the Commission.

Applicant bases its request for a section 1(b) disclaimer of jurisdiction upon an order issued October 31, 1962 in Docket No. CP62-205 (28 FPC 753), as amended, wherein the Commission found that (1) Applicant is primarily a local distribution company that has no

long distance transmission facilities and makes no sales for resale, and (2) the rates of Applicant are not subject to the jurisdiction of the Commission. Applicant also cites the Commission's more recent order issued July 24, 1984 in Tenneco Oil Company, *et al.*, Docket No. CI83–269–000 (28 FERC ¶61,122), wherein the commission stated: "The Section 7(f) determination permits it (Applicant) to operate as a state regulated local distribution company, notwithstanding its multistate presence."

Applicant further states that if the Commission believes some authorization is required, Applicant requests that the Commission treat it as a local distribution company under § 284.224 of the Commission's Regulations for purposes of the Commission's blanket certification program. In support of the request, Applicant cites the Commission's order granting Arkansas Oklahoma Gas Corporation a blanket certificate under comparable circumstances. 33 FERC ¶61,197 (1985).

Comment date: September 25, 1986, in accordance with Standard Paragraph F at the end of this notice.

Standard Paragraphs

F. Any person desiring to be heard or make any protest with reference to said filing should on or before the comment date file with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this filing if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for the applicant to appear or be represented at the hearing.

G. Any person or the Commission's staff may, within 45 days after the issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the Natural Gas Act.

Kenneth F. Plumb,

Secretary.

[FR Doc. 86–20486 Filed 9–10–86; 8:45 am]

BILLING CODE 6717–01–M

Western Area Power Administration

Proposed Post-1989 Power Allocations From Salt Lake City Area Integrated Projects

AGENCY: Department of Energy, Western Area Power Administration.

ACTION: Notice of Proposed Post-1989 Power Allocations; Salt Lake City Area Integrated Projects.

SUMMARY: The proposed post-1989 allocations of energy and capacity from the Salt Lake City Area Integrated Projects (SLCA/IP), consisting of the Colorado River Storage Project, the Collbran Project, and the Rio Grande Project, to eligible allottees by the Western Area Power Administration (Western) are published herein together with a description of the process by which the proposed allocations were derived. Also included are discussions of issues related to these allocations.

DATES: Comments must be received in writing no later than the close of business on November 10, 1986. A public comment forum regarding the allocations will be held October 8, 1986, at 8:30 a.m., at the Marriott Hotel, in Salt Lake City, Utah. Applicants and interested parties are invited to comment on the proposed allocations. At this forum, interested persons may submit written comments or orally present their views. Following the forum, an informal meeting will be held to discuss the preparation of prototype contracts for the sale of energy and capacity.

ADDRESSES: For further information on the proposed post-1989 power allocations, contact Mr. Lloyd Greiner, Area Manager, or Ms. Marlene Moody, Assistant Area Manager for Power Marketing, at Salt Lake City Area Office, Western Area Power Administration, 438 East Second South, P.O. Box 11606, Salt Lake City, UT 84147, telephone (801) 524–5493.

SUPPLEMENTARY INFORMATION: Contents of this section include:

I. Statutory Basis of the Allocations.
II. Notice of Environmental Assessment and Finding Of No Significant Impact (FONSI).
III. Applications.
IV. Proposed Allocations.
A. General.
1. Marketable Resources.
2. Other General Issues.
B. Allocations in the Southern Division (Resource Pools 1 and 2).
C. Allocations in the Northern Division (Resource Pools 3 and 4, 5 and 6).
1. Existing Customers (Resource Pools 3 and 4).
a. Proposed Allocations.
b. Adjustments for Energy Conservation.
c. Benefits of Project Integration.
d. Possible Adjustment to Allocations.
2. Participating Customers (Resource Pools 5 and 6).
a. Effect of Special Allocations on Seasonal Energy Factors.
b. Estimated 1980–82 Loads.
V. Opportunity for Written Comments on Proposed Allocations.
VI. Publication of Final Allocations.
VII. Appendices.

I. Statutory Basis of the Allocations

The proposed allocations published herein by the Western Area Power Administration's Salt Lake City Area Office (SLCAO) were determined after the close of the period for submitting applications for power by applying the final Post-1989 General Power Marketing and Allocation Criteria (Criteria), published February 7, 1986, at 51 FR 4844. The Criteria were developed based on provisions of the Acts of Congress approved June 17, 1902 (ch. 1093, 32 Stat. 388), August 4, 1939 (43 U.S.C. 485h(c)), and August 4, 1977 (42 U.S.C. 7152, 7191), and acts amending or supplementing all of the foregoing legislation.

II. Notice of Environmental Assessment and Finding Of No Significant Impact (FONSI)

The February 7, 1986, Federal Register notice (51 FR 4844) summarized the environmental assessment and FONSI for the Criteria, and therefore will not be repeated here. Copies of the environmental assessment and FONSI are available by writing to the address above.

III. Applications

The Criteria required that those wishing to be considered for allocations apply to Western's SLCAO by the close of business on April 8, 1986. Applications were received from a total of 113 entities prior to the April 8, 1986, application deadline. A summary of those applications is contained in the following Table 1:

TABLE 1.—SUMMARY OF POST-1989 APPLICATIONS

Priority	Customer group	Division	No. of applicants
1. Preference entities within the SLCA integrated projects market area.	Existing	Southern	24
		Northern [1]	47
	Prospective	Northern	34
Subtotal			105
2. Preference entities outside the SLCA integrated projects market area.	Existing	Northern	0
	Prospective	Southern	2
		Northern	4
Subtotal			6
3. Nonpreference entities acting as agents for public entities without distribution systems.	Prospective	Southern	0
		Northern	1
Subtotal			1
4. Nonpreference entities acting on their own behalf.	Prospective	Southern	1
		Northern	0
Subtotal			1
Total			113

[1] Number of applicants includes 4 single purchasing agents with a total of 43 member systems. Therefore, 144 Priority 1 preference customers are interested in an allocation.

The cities of Santaquin and Elk Ridge, Utah, were given until May 7, 1986, to demonstrate to Western that each had taken "significant and tangible steps" to obtain utility status by September 30, 1988. Neither Santaquin nor Elk Ridge provided this information. Therefore, neither has been granted an allocation as a Priority 1 entity.

Application was received from the city of Richfield, Utah, 2 days after the application deadline of April 8, 1986. Therefore, Richfield has been excluded from consideration for an allocation as a Priority 1 entity.

The Utah Power and Light Company (UP&L) applied for power on its own behalf and on behalf of 143 municipalities, towns, and counties in Utah and Wyoming, which UP&L referred to as "applying municipalities." UP&L stated that its applications were "expressly conditioned upon the availability to UP&L and the applying municipalities of Federal hydroelectric power on the same basis as to preference entities as currently defined by WAPA (Western)." Under existing laws, UP&L, an investor-owned utility, is not entitled to preference in the sale of power. Western assumes that UP&L intended to apply for an allocation of power even though it is a nonpreference entity.

The "applying municipalities" mentioned in UP&L's application are all served by UP&L. Most of the 143 "applying municipalities," which signed resolutions authorizing UP&L to act on their behalf, declared that they had granted UP&L the service franchise in their areas and specified that the application was for power to be distributed through UP&L's distribution system to their residents. Therefore, they are included under UP&L's application as a Priority 3 entity. Two of the 143, Cedar City and Santaquin, Utah, indicated in their resolutions that they would also seek to acquire the power for their own use if they acquired a means to distribute the power without using UP&L's distribution system. However, only Cedar City independently satisfied applicant qualification criteria by taking in a timely manner significant and tangible steps to acquire the means to distribute power by September 30, 1988. Therefore, Cedar City, which submitted a separate application which was received prior to the application deadline has been considered as a Priority 1 applicant.

Since UP&L applied for power on behalf of the remaining "applying municipalities" without distribution systems prior to the April 8, 1986, application deadline, UP&L qualifies as a Priority 3 applicant. In addition, UP&L applied for power on its own behalf, and therefore qualifies as a Priority 4 applicant. However, to avoid double accounting in Table 1, UP&L has been included only in the tabulation of Priority 3 applicants.

IV. Proposed Allocations

A. General

Marketable Resources. The total amounts of long-term energy and capacity identified previously in the Criteria and available for allocation to the Northern and Southern Divisions of the SLCA/IP market area are tabulated in the following table.

TABLE 2.—MARKETABLE RESOURCES

Marketable firm totals	Winter		Summer	
	Energy (gwh) 3177.407	Capacity (mw) 1449.140	Energy (gwh) 2979.330	Capacity (mw) 1351.380
Southern Division:				
Existing customers	264.842	119.000	463.854	210.000
Northern Division:				
Existing customers	2628.705	1200.504	2227.720	1010.813
Participating customers	218.967	100.000	220.389	100.000
Subtotal	2847.672	1300.504	2448.109	1110.813
C&RE Incentive Program	64.893	29.636	67.366	30.567

2. Other General Issues. Due to the limited available resource from the SLCA/IP and the large number of requests received from Priority 1 applicants, only Priority 1 applicants have received proposed allocations. As a group, Priority 1 applicants received 18 percent of their 1980–82 average load requirements.

In the Criteria, Western requested qualified applicants to specify their requests for the desired number of kilowatthours per kilowatt (kWh/kW) to be associated with their individual energy allocations in each season. The resultant individual capacity figures were to be adjusted, if necessary, to match available capacity in each resource pool.

The resource pools and related kWh/kW figures were defined in Appendix B of the Criteria. In determining individual capacity allocations, Western gave first priority to those potential allottees requesting allocations at the resource pool kWh/kW level. Next, priority was given to those requesting a kWh/kW ratio higher than the resource pool level; that is, requesting less capacity. Any capacity not used by this second category of applicants was distributed proportionately, based on initial allocation requests, among those in a third category requesting a kWh/kW ratio lower than that of the resource pool; that is, more capacity. Since, in most cases, insufficient amounts of capacity remained to meet requested allocations of those applicants in category three, requests within this category were adjusted downward to match remaining available capacity.

The available energy pool was distributed through a two-step process. First, the initial energy allocations, referred to as unadjusted SLCA/IP allocations, were calculated using the allocation methodologies detailed in the Criteria. Second, each applicant's post-1989 Federal energy allocations from other Federal projects were added to the unadjusted SLCA/IP allocation and compared to the 3-year average energy usage reported for 1980 through 1982 in applicant profile data (APD). In those cases where an applicant's total Federal entitlement exceeded the 3-year average usage, the difference was subtracted from the applicant's unadjusted SLCA/IP energy allocations, resulting in a proposed (adjusted) SLCA/IP energy amount. The total amount of energy withdrawn was then proportionately distributed to the remaining applicants within the pool, thereby increasing their initial SLCA/IP energy allocations. This energy limitation test was repeated until all applicants had a SLCA/IP energy allocation such that none received greater than 100 percent of their 3-year average load, and all energy available in the pool had been allocated.

Those applicants impacted by the energy limitation are listed in the discussion of allocation results for each customer group.

B. Allocations in the Southern Division (Resource Pools 1 and 2)

The allocations to eligible entities in the Southern Division for both the winter (October–March) and summer (April–September) seasons are listed in Appendix A. According to the Criteria, only existing customers in the Southern Division are eligible.

The Navajo Tribal Utility Authority is no longer a Southern Division customer, but is a Northern Division existing customer. This was done to simplify contract negotiation and administration and accounting and billing requirements.

Littlefield Electric Cooperative has been included in applicant profile data with information reported for Dixie-Escalante Rural Electric Association (Dixie-Escalante) and is a Northern Division existing customer.

Reservation of long-term, contingent capacity, and associated firm energy for renewal to current Boulder Canyon Project contractors was published in the Conformed General Consolidated Power Marketing Criteria or Regulations for Boulder City Area Projects, 49 FR 50582, published on December 28, 1984. These reservations included commitments to many existing CRSP Southern Division customers.

The post-1987 allocations from the Parker-Davis Project (made by the Boulder City Area Office) were not completed at the time of this publication. Therefore, since Federal energy commitments for the post-1989 period to specific entities in the Southern Division from this project were unknown, the allocations listed in Appendix A assume that existing Parker-Davis nonwithdrawable commitments will continue in the post-1989 period. The SLCA/IP proposed allocations will be subject to adjustment based upon the final Parker-Davis Project post-1987 allocations, which are expected to be published later this year. Western will publish final Southern Division allocations for the SLCA/IP concurrent with the publication of the final Parker-Davis Project allocations.

Those existing customers who received an adjustment in their initial SLCA/IP allocations as a result of application of the energy limitation were as follows:

Winter: Ak-Chin Indian Community, Chandler Heights Citrus Irrigation & Drainage District, Electrical District 5, Maricopa, Electrical District 7, Ocotillo Water Conservancy District.

Summer: Electrical District 5, Maricopa.

In the determination of associated capacity for Southern Division customers in the winter season, insufficient capacity was requested such that approximately 24 kW remained unallocated. Since only one entity (Yuma Proving Grounds) requested more capacity than the resource pool level of 2,225 kWh/kW, it will be given first right of refusal to this unallocated capacity.

C. Allocations in the Northern Division (Resource Pools 3 and 4, 5 and 6)

1. Existing Customers (Resource Pools 3 and 4).

a. Proposed Allocations. Allocations to existing customers in the Northern Division for both winter and summer seasons are listed in Appendix B. Proposed allocations for the Pick-Sloan Missouri Basin Program (Western Division) (P–SMBP–WD) and the Fryingpan-Arkansas Project (Fry-Ark) were published in the **Federal Register** on May 27, 1986, 51 FR 19080. These proposed allocations were considered as other Federal resources available to Northern Division existing customers. Western will use the P–SMBP–WD and Fry-Ark final allocations in determining the final SLCA/IP allocations.

Those existing customers who received an adjustment in their initial SLCA/IP allocations as a result of application of the energy limitation were as follows:

Winter: Pueblo Army Depot, CO; Truth or Consequences, NM; Defense Depot—Ogden, UT.

Summer: Holyoke, CO; Pueblo Army Depot, CO; Willwood Light & Power, WY; Defense Depot—Ogden, UT.

b. Adjustments for Energy Conservation. The Criteria provided that Western adjust the historic load reported by an entity in APD if an applicant demonstrates that 1980–82 energy usage declined from earlier years and was a direct result of conservation efforts.

Dixie-Escalante submitted detailed information documenting conservation and energy management efforts in effect during this time period which had a significant impact on both demand and energy usage. These conservation efforts involved the following actions:

(1) Implementation of a conservation-oriented rate with an associated capacity charge resulting in a significant reduction in capacity and energy consumption;

(2) Educational programs and energy audits for residential users calling attention to inefficient electrical equipment and emphasizing cost-effective home improvements to reduce overall energy usage;

(3) Instigation of an irrigation rate which made several farmers reevaluate marginal winter production;

(4) Conversion of an irrigation storage reservoir into a gravity-flow, pressure-piped irrigation system, eliminating a large load and energy user; and

(5) Other construction and maintenance efforts to reduce losses in transmission facilities.

These conservation efforts resulted in a reduction in energy consumption in the winter season during 1980 through 1982 of an estimated 40,400,000 kWh or approximately 13,500,000 kWh annually. Therefore, Western concludes that an adjustment to historic load reported by Dixie-Escalante for the winter season is warranted. The 3-year average winter energy usage for Dixie-Escalante has been increased from 37,366,845 kWh to 52,836,022 kWh. Such an adjustment had no influence on the determination of Dixie-Escalante's SLCA/IP (unadjusted) energy allocation; however, this adjustment prevented a reduction to Dixie-Escalante's initial allocation in application of the energy limitation test. This adjustment was considered appropriate since the intent of the energy limitation was not to penalize an applicant for having taken actions which resulted in demonstrated reductions in energy usage.

c. Benefits of Project Integration. In accordance with the Criteria, the benefits of project integration were shared by the smaller projects' customers and the other customers in the Northern Division. Western quantified the monetary benefit due to project integration in proportion to the net benefit contributed by each of the smaller projects' customers and translated these benefits into equivalent amounts of energy. Of that energy, 50 percent was retained by existing small project contractors, and the remaining 50 percent was included in the resource pool available to all other Northern Division customers.

The Criteria summarized the assumptions and procedures used to determine the appropriate distribution of integration benefits. A more detailed analysis, which includes specific allocation numbers and other financial information, is available by writing to the address listed above.

d. Possible Adjustment to Allocations. The allocations to the existing Collbran Project and the Rio Grande Project customers are contingent upon the continuation of the contracts now in effect for the sale of these smaller projects' resources through September 1989. If power purchases from the smaller projects are discontinued or if Western is not assured that anticipated revenues will be received during this period, adjustments of these proposed post-1989 allocations may be necessary.

2. Participating Customers (Resource Pools 5 and 6).

a. Effect of Special Allocations on Seasonal Energy Factors. The special allocations anticipated by the Criteria from Resource Pools 5 and 6 to the cities of Enterprise and Hurricane in Utah and the Department of Energy, Albuquerque Operations Office, in New Mexico reduced those pools to 82,413 kW and 213,068,381 kWh for Pool 5 and 83,646 kW and 217,297,141 kWh for Pool 6.

The factors published in the Criteria for these resource pools were consequently adjusted when allocations were computed. The load factors for these pools, after deducting the special allocations, are approximately 59 percent in both seasons. Refer to Appendix C for these special allocations.

b. Estimated 1980–82 Loads. There are 11 other applicants for whom 1980–82 loads were estimated. These estimated loads formed the basis of their allocations. Nine are municipal applicants in the process of acquiring a utility system. When available, information from the current supplier of the municipal load was used for the purpose of estimating historic load. However, two applicants are water conservancy districts who received this treatment as a result of their close association with Federal projects. Estimated loads were based in one case on hydrological data for the 1980–82 period which has a direct relationship to electric loads (Northern Colorado Water Conservancy District) and in the other (Central Utah Water Conservancy District) on the most current estimate of the load that would have existed in 1980–1982.

V. Opportunity for Written Comments on Proposed Allocations

Western will accept written comments on these proposed allocations from all interested parties until the close of business on November 10, 1986. These comments should be limited to issues related to the implementation of the Criteria. A public comment forum is scheduled for October 8, 1986, at 8:30 a.m., at the Marriott Hotel, in Salt Lake City, Utah.

VI. Publication of Final Allocations

Western will evaluate all comments and determine the final allocations for the 1989–1999 commitment period for the Northern Division. These allocations will be promptly published in the **Federal Register.**

The final allocations for the Southern Division will be published concurrent with the publication of the Parker-Davis Project allocations which are expected to be completed during the fall of 1986.

VII. Appendices

Appendix A: Proposed Allocations, Southern Division, Existing Customers
Appendix B: Proposed Allocations, Northern Division, Existing Customers
Appendix C: Proposed Allocations, Northern Division, Participating Customers.

The Proposed Post-1989 Power Allocations for the SLCA/IP are published herewith.

Issued at Golden, Colorado, September 4, 1986.

William H. Clagett,

Administrator.

APPENDIX A.—PROPOSED POST-1989 ALLOCATIONS, SLCA/IP, SOUTHERN DIVISION EXISTING CUSTOMERS

Customer group	Customer	Resource pool 1—Winter season		Resource pool 2—Summer season	
		Capacity (MW)	Energy (MWH)	Capacity (MW)	Energy (MWH)
(1)	(2)	(3)	(4)	(5)	(6)
Southern Division Existing Customers.	AK-Chin Indian Community	1.920	4,273.433	4.244	9,374.538
	APPA	13.619	30,309.525	27.274	60,245.663
	Chandler Heights Citrus I.D.D.	0.284	630.299	0.400	881.761
	Colorado River Commission	29.505	65,664.940	22.419	49,518.834
	Colorado River Irr./Power	0.883	1,937.237	0.442	1,010.293
	Electrical District #3	2.884	6,419.527	8.630	19,062.541
	Electrical District #4	3.682	8,193.412	4.897	10,815.372
	Electrical District #5-M	0.226	502.866	1.281	2,829.668
	Electrical District #5-P	2.634	5,863.054	2.948	6,511.426
	Electrical District #6	0.000	0.000	6.245	13,793.632

APPENDIX A.—PROPOSED POST-1989 ALLOCATIONS, SLCA/IP, SOUTHERN DIVISION EXISTING CUSTOMERS—Continued

Customer group	Customer	Resource pool 1—Winter season		Resource pool 2—Summer season	
		Capacity (MW)	Energy (MWH)	Capacity (MW)	Energy (MWH)
(1)	(2)	(3)	(4)	(5)	(6)
	Electrical District #7	0.518	1,153,085	4.808	10,619.670
	Maricopa County MWCD No. 1	2.374	5,282.773	5.749	12,698.071
	Ocotillo WCD	0.224	499.364	1.161	2,564.685
	Queen Creek Irr. Dist.	0.000	0.000	1.887	4,167.426
	Roosevelt Irr. Dist.	1.761	3,919.906	5.243	11,580.055
	Roosevelt Water Cons. Dist.	1.617	3,598.233	2.364	5,222.408
	Safford, AZ	0.561	1,248.596	1.227	2,710.406
	Salt River Project	52.299	116,395.635	103.221	227,998.470
	San Carlos Irr. Project	1.844	4,104.002	1.366	3,017.035
	San Tan Irr. District	0.000	0.000	0.882	1,948.977
	Thatcher, AZ	0.363	807.179	0.556	1,228.647
	Wellton-Mohawk Irr. Dist.	0.450	1,002.265	0.146	320.633
	Williams AFB	0.913	1,995.287	2.265	5,002.088
	Yuma Proving Grounds	0.415	1,041.337	0.347	732.781
Total, Southern Division Existing.		118.976	264,842.000	210.000	463,854.000

APPENDIX B.—PROPOSED POST-1989 ALLOCATIONS, SLCA/IP, NORTHERN DIVISION EXISTING CUSTOMERS, LOVELAND AREA

Customer Group	Customer	Resource Pool 3—Winter season		Resource pool 4—summer season	
		Capacity (MW)	Energy (MWH)	Capacity (MN)	Energy (MWH)
(1)	(2)	(3)	(4)	(5)	(6)
Northern Division Existing Customers Loveland Area.	Center, CO	1.803	3,959.644	1.084	2,338.173
	Colorado Springs, CO	64.957	141,475.553	16.351	35,693.913
	Fleming, CO	0.068	141.607	0.088	188.772
	Fort Morgan, CO	9.092	19,042.807	8.599	18,556.557
	Frederick, CO	0.045	115.556	0.038	95.852
	Haxtun, CO	0.546	1,104.860	0.576	1,221.548
	Holyoke, CO	2.024	4,219.065	1.542	3,326.000
	Lamar, CO	2.666	5,563.149	2.197	4,731.819
	Platte River Power Auth	146.161	382,941.240	114.277	274,265.935
	Pueblo Army Depot	2.856	6,253.067	2.641	5,820.433
	Torrington, WY	1.303	2,677.302	1.925	4,141.463
	Tri-State (CO-WY)	226.278	473,501.834	273.433	589,770.236
	Willwood LT & PWR	0.039	86.389	0.052	113.933
	WMPA	6.741	14,748.862	5.043	10,811.692
	Wray, CO	1.060	2,321.989	0.503	1,108.323
	Yuma, CO	1.413	2,954.767	1.226	2,643.238
Subtotal, Loveland Area.		467.050	1,061,107.691	429.574	954,827.887
Northern Division Existing Customers Salt Lake City Area.	Aztec NM	2.782	6,090.702	2.046	4,509.528
	Brigham City, UT	12.612	27,616.374	8.961	19,715.138
	Defense Depot, Ogden, UT	3.532	7,734.000	3.169	6,984.667
	Delta, CO	1.212	2,654.647	1.064	2,345.488
	Delta-Montrose E.A	0.916	2,006.730	1.270	2,799.108
	Deseret G&T	110.469	231,190.971	101.799	219,560.699
	Dixie-Escalante E.A	23.908	49,759.427	18.826	40,496.460
	Doe-Albuq. Oper. Off	21.157	46,326.947	16.384	36,108.130
	Empire E.A	0.420	920.411	0.578	1,274.169
	Farmington, NM	17.602	42,737.006	16.414	35,310.067
	Grand Valley Rural Power	0.285	624.280	0.394	867.933
	Gunnison, Co	7.236	15,843.569	4.828	10,640.248
	Gunnison County E.A	0.339	742.566	0.391	861.719
	Holy Cross E.A	1.661	3,637.678	1.932	4,258.457
	Irea	27.208	59,577.176	20.713	45,650.259
	La Plata E.A	0.807	1,766.156	0.991	2,183.279
	Navajo Tribal UT ATH	19.615	51,313.479	16.199	42,377.082
	Oak Creek, CO	0.485	1,015.934	0.322	704.532
	Page, AZ	8.051	17,629.611	6.709	14,785.799
	Plains G&T	177.921	372,746.899	142.712	312,967.039
	Sangre De Cristo E.A	0.177	387.227	0.240	528.057
	San Isabel E.A	0.410	897.057	0.538	1,187.602
	San Luis Vly R.E.A	0.253	554.515	1.800	3,966.370
	San Miguel P.A	0.436	955.201	0.604	1,331.665
	Southeast Co. P.A	0.346	757.211	0.938	2,068.211
	Truth or Consequences, NM	6.506	14,234.333	6.038	13,313.548
	UAMPS	191.834	399,263.926	123.589	265,847.053
	UMPA	93.698	205,166.445	79.386	174,958.945
	Weber Basin Cons. Dst	0.00	0.000	0.417	918.918
	White River E.A	0.232	509.050	0.388	745.532
	Yampa Vly E.A	1.342	2,937.782	1.646	3,627.411
Subtotal, Salt Lake City Area.		733.454	1,567,597.305	581.239	1,272,892.107

APPENDIX B.—PROPOSED POST-1989 ALLOCATIONS, SLCA/IP, NORTHERN DIVISION EXISTING CUSTOMERS, LOVELAND AREA—Continued

Customer Group	Customer	Resource Pool 3—Winter season		Resource pool 4—summer season	
		Capacity (MW)	Energy (MWH)	Capacity (MN)	Energy (MWH)
(1)	(2)	(3)	(4)	(5)	(6)
Total, Northern Division Existing.		1,200.504	2,628,705.000	1,010.813	2,227,720.000

APPENDIX C.—PROPOSED POST-1989 ALLOCATIONS, SLCA/IP, NORTHERN DIVISION PARTICIPATING CUSTOMERS, SPECIAL ALLOCATIONS

Energy			Resource pool No. 5 (winter)	Resource pool No. 6 (summer)
Marketable Firm Energy for Participating Customers (kWh)			218,967,000	220,389,000
Special Allocations:	Winter	Summer		
DOE/Los Alamos (kWh)	0	0		
Enterprise, UT	1,472,945	1,132,616		
Hurricane, UT	4,425,674	1,959,243		
Total (kWh)	5,898,619	3,091,859	(5,898,619)	(3,091,859)
Resultant Resource Amounts For Distribution by Formula (kWh)			213,068,381	217,297,141
Capacity:				
Marketable Firm Power for Participating Customers (kW)			100,000	100,000
Special Allocations:	Winter	Summer		
DOE/Los Alamos (kW)	15,000	15,000		
Enterprise, UT	646	496		
Hurricane, UT	1,941	858		
Total (kW)	17,587	16,354	(17,587)	(16,354)
Resultant Resource Amounts For Distribution by Formula (kW)			82,413	83,646
Seasonal Energy Factor				
Winter: 213,068,381/82,413=2585.373 kWh/kW				
Summer: 217,297,141/83,646=2597.818 kWh/kW				
Load Factor				
Winter: 2585.373/4368=59.19%				
Summer: 2597.818/4392=59.15%				

Customer group	Customer	Resource pool 5—Winter season		Resource pool 6—Summer season	
		Capacity (MW)	Energy (MWH)	Capacity (MW)	Energy (MWH)
(1)	(2)	(3)	(4)	(5)	(6)
Prospective Customers	Aspen, CO	1.651	4,169.300	1.062	2,696.781
	Blanding, UT	0.753	1,896.502	0.500	1,270.263
	Cannon AFB	1.397	3,518.397	1.387	3,522.606
	Cedar City, UT	3.421	8,521.385	2.759	6,942.412
	Central Vly Elec Coop	3.592	9,048.806	3.579	9,092.367
	County of Los Alamos, NM	1.545	3,890.403	1.057	2,684.102
	Central Utah WCD	0.095	285.651	0.239	607.009
	Farmers Elec Coop	1.577	6,780.637	1.845	7,931.689
	Gallup, NM	3.593	9,048.806	3.440	8,737.982
	Glenwood Springs, CO	1.663	4,177.881	1.247	3,161.779
	Helper, UT	0.464	1,162.787	0.304	768.600
	Hill AFB	3.593	9,048.806	3.579	9,092.367
	Holloman AFB	2.033	5,303.339	1.921	4,901.151
	Ivins, UT	0.129	323.092	0.118	298.119
	Kanab, UT	0.602	1,515.914	0.476	1,208.583
	La Verkin, UT	0.243	607.996	0.211	534.559
	Lea County Elec Coop	3.592	9,048.806	3.579	9,092.367
	No. Col. WCD	0.000	0.000	3.608	9,078.000
	Panguitch, UT	0.686	1,722.833	0.646	1,638.083
	Price, UT	1.676	4,220.789	1.119	2,843.099
	Raton, NM	1.612	4,014.834	1.081	2,719.740
	Roosevelt Co Elec Coop	3.036	7,649.080	3.437	8,731.128
	Sandia/Kirtland AFB	3.593	9,048.806	3.579	9,092.367
	Santa Clara, UT	0.326	815.238	0.301	759.690
	Springdale, UT	0.028	71.655	0.024	60.652
	Tooele Army Depot	1.287	3,240.787	0.920	2,336.982
	University of Utah	3.408	8,805.860	3.084	7,969.382
	USDI-Dexter N.F.H.	0.014	37.329	0.008	19.532
	Utah St. University	1.134	2,970.471	1.123	2,862.289
	Washington, UT	0.680	1,702.132	0.558	1,408.357
	West Bountiful, UT	0.462	1,149.915	0.445	1,119.490
Subtotal, Prospective Customers		47.882	123,798.237	47.237	123,181.527

Customer group	Adjusted customer	Resource pool 5—Winter season		Resource pool 6—Summer season	
		Adjusted capacity (MW)	Adjusted energy (MWH)	Adjusted capacity (MW)	Energy (MWH)
(1)	(2)	(3)	(4)	(5)	(6)
Participating customers—existing	Delta, CO	0.509	1,280.870	0.449	1,141.262
	Delta-Montrose E.A	3.500	9,048.806	3.500	9,092.367
	Doe-Albuq. Oper. Off	0.000	0.000	3.579	9,092.367
	Empire E.A	3.500	9,048.806	2.638	6,853.319
	Farmington, NM	1.265	3,193.994	3.599	9,092.367
	Grand Valley Rural Power	2.766	7,151.356	1.803	4,683.216
	Gunnison County E.A	3.319	8,581.455	1.803	4,683.216
	Holy Cross E.A	3.500	9,048.806	3.500	9,902.367
	La Plata E.A	3.500	9,048.806	3.500	9,902.367
	Navajo Tribal UT Ath	3.459	9,048.806	3.476	9,902.367
	San Miguel Pwr Assn	3.500	9,048.806	2.770	7,195.985
	Weber Basin WCD	0.000	0.000	0.753	1,914.165
	White River E.A	2.213	5,720.826	1.539	3,997.884
	Yampa Valley E.A	3.500	9,048.806	3.500	9,902.367
Subtotal, Existing Customers		34.531	89,270.144	36.409	94,115.616
Subtotal, Exist + Prosp. (Excl. Spec. Alloc.)		82.413	213,068.381	83.646	217,297.141
Participating Customers—Special Allocations	Doe-Albuq. Oper. Off	15.000	0.000	15.000	0.000
	Enterprise, UT	0.646	1,472.945	0.496	1,132.616
	Hurricane, UT	1.941	4,425.674	0.858	1,959.243
Subtotal, Special Allocations		17.587	5,898.619	16.354	3,091.859
Total, Participating Customers		100.000	218,967.000	100.000	220,389.000

[FR Doc. 86-20328 Filed 9-5-86; 11:05 am]
BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

[SAB-FRL-3078-1]

Science Advisory Board, Radiation Advisory Committee, Radon Mitigation Subcommittee; Open Meeting

Under Pub. L. 92-463, notice is hereby given that a meeting of the Radon Mitigation Subcommittee of the Science Advisory Board's Radiation Advisory Committee will be held on September 30, 1986 at the U.S. Environmental Protection Agency, South Conference Area Room #4. The Conference Area is located on the Ground Floor, near the EPA Washington Information Center, Waterside Mall, 401 M Street, SW., Washington, DC. The meeting will begin at 8:30 a.m. and adjourn no later than 5:00 p.m.

The Subcommittee will review the Office of Environmental Engineering and Technology document, *The EPA Radon Mitigation Test Matrix*. Copies of the document being reviewed may be obtained by calling or writing Mr. Paul Shapiro (202) 382-2583 at the Office of Environmental Engineering and Technology, RD-681, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.

The meeting is open to the public; however, seating is limited. Any member wishing to attend, obtain further information, or submit written comments to the Subcommittee should notify Mrs. Kathleen Conway, Executive Secretary, or Mrs. Dorothy Clark, Staff Secretary, (A101-F) Radiation Advisory Committee, Science Advisory Board, by the close of business on September 26,

1986. The telephone number is (202) 382–2552.

Dated: September 4, 1986.

Kathleen Conway,

Deputy Director, Science Advisory Board.

[FR Doc. 86–20458 Filed 9–10–86; 8:45 am]

BILLING CODE 6560–50–M

FEDERAL COMMUNICATIONS COMMISSION

A Closed Circuit Test of the Emergency Broadcast System During the Week of September 22, 1986

September 5, 1986.

A test of the Emergency Broadcast System (EBS) has been scheduled during the week of September 22, 1986. Only ABC, AP Radio, CBS, CNN, MBS, NBC, NPR, United Stations and UPI Audio Radio Network affiliates will receive the Test Program for the Closed Circuit Test. The ABC, CBS, NBC, and PBS television networks and the national cable program supplier networks are not participating in the test.

Network and press wire service affiliates will be notified of the test procedures via their network approximately 25 minutes prior to the test.

Final evaluation of the test is scheduled to be made about one month after the Test.

This is a closed circuit test and will not be broadcast over the air.

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 86–20472 Filed 9–10–86; 8:45 am]

BILLING CODE 6712–01–M

FEDERAL MARITIME COMMISSION

Agreement(s) Filed

The Federal Maritime Commission hereby gives notice of the filing of the following agreement(s) pursuant to section 5 of the Shipping Act of 1984.

Interested parties may inspect and obtain a copy of each agreement at the Washington, DC Office of the Federal Maritime Commission, 1100 L Street, NW, Room 10325. Interested parties may submit comments on each agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days after the date of the **Federal Register** in which this notice appears. The requirements for comments are found in § 572.603 of Title 46 of the Code of Federal Regulations. Interested persons should consult this section before communicating with the Commission regarding a pending agreement.

Agreement No.: 224–003368–004.

Title: Palm Beach Terminal Agreement.

Parties:

Port of Palm Beach District (Port)

Eastern Cement Corporation (Eastern)

Synopsis: The proposed amendment would make certain changes in that portion of the agreement covering the use of that part of the Port's facilities leased by Eastern referred to as "Additional Demised Premises." The parties have requested a determination as to whether or not the amendment is subject to the provisions of the Shipping Act of 1984.

Agreement No.: 224–010989.

Title: North Atlantic Talking Agreement.

Parties:

Port of Portland, Maine
New Hampshire Port Authority
Massachusetts Port Authority
Fall River Port Authority
City of New York Department of Ports & Terminals
Port Authority of New York and New Jersey
Philadelphia Port Corporation
South Jersey Port Corporation
Port of Wilmington, Delaware
Delaware River Port Authority
Maryland Port Administration
Virginia Port Authority
Virginia International Terminals, Inc.

Synopsis: The proposed agreement would authorize the parties to confer, discuss and exchange information relating to rates, charges, practices, legislation, port administration and procedures and other matters of common interest. The agreement would remain in effect for a five-year period.

Agreement No.: 224–010990.

Title: Charleston Terminal Agreement.

Parties:

South Carolina State Ports Authority (the Authority)

Farrell Lines Incorporated (Farrell)

Synopsis: The proposed agreement would permit the Authority to provide contained services to Farrell at a reduced rate in exchange for Farrell's designation of Charleston, South Carolina, as its sole port of call in the Wilmington, North Carolina/Miami, Florida inclusive port range. The agreement would remain in effect for a period of three years.

Agreement No.: 224–010991.

Title: Global Terminal & Container Services/Costa Armatori Terminal Agreement.

Parties:

Global Terminal & Container Services, Inc. (Global)

Costa Armatori S.p.A. (Costa)

Synopsis: The proposed agreement would permit Global to perform contained stevedoring, terminal and LCL cargo handling services at its marine terminal facility in the Port of New York for containers and RO/RO cargo to be loaded onto or discharged from full container vessels and combination RO/RO-container vessels owned, operated, chartered or controlled and used by Costa in its service between the Mediterranean and New York.

Agreement No.: 224–010992.

Title: Global Terminal & Container Services/Costa Armatori Agency Collection Agreement.

Parties: Global Terminal & Container Services, Inc. (Global)

Costa Container Lines S.p.A. (Costa)

Synopsis: The proposed agreement would designate Global as Costa's agent for the assessment, billing, collection and administration of free time and demurrage on cargo and containers discharged from Costa's vessels at Global's terminal facilities at the Port of New York.

By Order of the Federal Maritime Commission.

Dated: September 8, 1986.

Joseph C. Polking,

Secretary.

[FR Doc. 86–20473 Filed 9–10–86; 8:45 am]

BILLING CODE 6730–01–M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Administration

[Docket No. N–86–1637]

Submission of Proposed Information Collections to OMB

AGENCY: Office of Administration, HUD.

ACTION: Notices.

SUMMARY: The proposed information collection requirements described below have been submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposals.

ACTION: Interested persons are invited to submit comments regarding these proposals. Comments should refer to the proposal by name and should be sent to. Robert Fishman, OMB Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: David S. Cristy, Reports Management Officer, Department of Housing and Urban Development, 451 7th Street, SW., Washington, DC 20410, telephone (202) 755–6050. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: The Department has submitted the proposals described below for the collection of information to OMB for review, as required by the Paperwork Reduction Act (44 U.S.C. Chapter 35).

The Notices list the following information: (1) The title of the information collection proposal; (2) the office of the agency to collect the information; (3) the agency form number, if applicable; (4) how frequently information submissions will be required; (5) what members of the public will be affected by the proposal; (6) an estimate of the total number of hours needed to prepare the information submission; (7) whether the proposal is new or an extension or reinstatement of an information collection requirement; and (8) the names and telephone numbers of an agency official familiar with the proposal and of the OMB Desk Officer for the Department.

Copies of the proposed forms and other available documents submitted to OMB may be obtained from David S. Cristy, Reports Management Officer for the Department. His address and telephone number are listed above. Comments regarding the proposals should be sent to the OMB Desk Officer at the address listed above.

The proposed information collection requirements are described as follows:

Notice of Submission of Proposed Information Collection to OMB

Proposal: Confirmation of Accounts Receivable—Low Rent Public Housing Program Revolving Fund
Office: Office of Inspector General
Form Number: None
Frequency of Submission: Single-Time
Affected Public: State or Local Governments
Estimated Burden Hours: 21
Status: New
Contact: Robert McClintock, HUD, (202) 755–6351, Robert Fishman, OMB, (202) 395–6880

Proposal: Inspection Form: Section 8 Existing Housing Program
Office: Housing
Form Number: HUD–52580 and 52580A
Frequency of Submission: Annually
Affected Public: State or local Governments
Estimated Burden Hours: 500,000
Status: Extension
Contact: Myra Newbill, HUD, (202) 755–7007, Robert Fishman, OMB, (202) 395–6880

Authority: Sec. 3507 of the Paperwork Reduction Act, 44, U.S.C. 3507; Sec. 7(d) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(d).

Dated: August 19, 1986.

Donald J. Keuch, Jr.,

Deputy Assistant Secretary.

[FR Doc. 86–20512 Filed 9–10–86; 8:45 am]

BILLING CODE 4210–01–M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[ES 970–06–4121–14–2410; ES 35269 and ES 34711]

Competitive Coal Lease Offering by Sealed Bid, Bell County, KY; Correction

AGENCY: Bureau of Land Management, Interior.

ACTION: Correction.

Correction

In FR Doc. 86–18655, beginning on page 29614, in the issue of Tuesday, August 19, 1986, make the following corrections:

1. On page 29614, first column, eleventh line in the "Summary" the parenthetical text should be corrected to read (30 U.S.C. 351–359).

2. On the same page, second column, second line in the "Dates and Addresses" "Wednesday, September 25, 1986," should be corrected to read "Thursday, September 25, 1986."

3. On the same page, second column, twenty first line in the "Dates and Addresses," the word "tow" is corrected to read "two."

G. Curtis Jones, Jr.,

State Director.

[FR Doc. 86–20345 Filed 9–10–86; 8:45 am]

BILLING CODE 4310–GJ–M

[WY–030–4121–13]

Availability of Coal Core Analyses and Geophysical Logs, Rawlins BLM District, WY

ACTION: Public Notice of Availability of eight coal analyses and forty-three geophysical logs from Carbon County, Wyoming.

SUMMARY: Notice is hereby given that eight coal analyses and forty-three geophysical logs from forty-three coal test holes located in Carbon County, Wyoming are now available to the public.

Twenty-three test holes and four coal analyses, located in Townships 21, 22 and 23 North, Range 89 West, were designed to investigate coal beds in the Paleocene Fort Union Formation in the eastern part of the Great Divide Basin.

Thirteen test holes and two coal analyses, located in Township 16 North, Ranges 90 and 91 West, were designed to investigate coal beds in the Upper Cretaceous Mesaverde Formation in the eastern part of the Washakie Basin.

Seven test holes and two coal analyses, located in Townships 22 and 23 North, Range 86 West, were designed to investigate coal beds in the Upper Cretaceous Mesaverde Formation in the western part of the Hanna Basin.

ADDRESS: Reproductions of the geophysical logs and core analyses are available at cost. Contact: William Newby, Assistant District Manager, Division of Minerals, Bureau of Land Management, P.O. Box 670, Rawlins, Wyoming 82301. Telephone (307) 324–7171.

Richard W. Bastin,

District Manager.

[FR Doc. 86–20507 Filed 9–10–86; 8:45 am]

BILLING CODE 4310–22–M

[WY–030–4121–13]

Availability of Coal Core Analyses and Geophysical Logs, Rawlins BLM District, WY

ACTION: Public Notice of Availability of three coal analyses and ten geophysical logs from the Wind River Basin, Fremont County, Wyoming.

SUMMARY: Notice is hereby given that three coal analyses and ten geophysical logs from ten coal test holes located in the Wind River Basin, Fremont County, Wyoming are now available to the public.

The test holes, located in Township 34 North, Range 94 West, were designed to investigate coal beds in the Upper Cretaceous Mesaverde Formation in the southern part of the Wind River Basin.

ADDRESS: Reproductions of the geophysical logs and core analyses are available at cost. Contact: William Newby, Assistant District Manager, Division of Minerals, Bureau of Land Management, P.O. Box 670, Rawlins, Wyoming 82301. Telephone (307) 324–7171.

Richard W. Bastin,

District Manager.

[FR Doc. 86–20506 Filed 9–10–86; 8:45 am]

BILLING CODE 4310–22–M

[MT-922-06-3111-13; MT-62415]

Proposed Reinstatement of Terminated Oil and Gas Lease; Montana

Under the provisions of Pub. L. 97-451, a petition for reinstatement of oil and gas lease M 62415(ND), Golden Valley County, North Dakota, was timely filed and accompanied by the required rental accruing from the date of termination June 1, 1986.

No valid lease has been issued affecting the lands. The lessee has agreed to new lease terms for rentals and royalties at rates of $5 per acre and 16-⅔% respectively. Payment of a $500 administration fee has been made.

Having met all the requirements for reinstatement of the lease as set out in section 31 (d) and (e) of the Mineral Lands Leasing Act of 1920 (30 U.S.C. 188), The Bureau of Land Management is proposing to reinstate the lease, effective as of the date of termination, subject to the original terms and conditions of the lease, the increased rental and royalty rates cited above, and reimbursement for cost of publication of this Notice.

Dated: August 29, 1986.

Karen L. Skauge,

Chief, Leasing Unit.

[FR Doc. 86-20417 Filed 9-10-86; 8:45 am]

BILLING CODE 4310-86-M

[MT-922-06-3111-13; MT-59173]

Proposed Reinstatement of Terminated Oil and Gas Lease; Montana

Under the provisions of Pub. L. 97-451, a petition for reinstatement of oil and gas lease M 59173, Pondera County, Montana, was timely filed and accompanied by the required rental accruing from the date of termination June 1, 1986.

No valid lease has been issued affecting the lands. The lessee has agreed to new lease terms for rentals and royalties at rates of $5 per acre and 16⅔% respectively. Payment of a $500 administration fee has been made.

Having met all the requirements for reinstatement of the lease as set out in section 31 (d) and (e) of the Mineral Lands Leasing Act of 1920 (30 U.S.C. 188), the Bureau of Land Management is proposing to reinstate the lease, effective as of the date of termiantion, subject to the original terms and conditions of the lease, the increased rental and royalty rates cited above, and reimbursement for cost of publication of this Notice.

Dated: August 29, 1986.

Karen L. Skauge,

Chief, Leasing Unit.

[FR Doc. 86-20416 Filed 9-10-86; 8:45 am]

BILLING CODE 4310-86-M

[ID-943-06-4212-12; ID-21395]

Issuance of Land Exchange Conveyance Document for Exchange of Public and State Lands; Blaine, Power, Boundary, Bonner & Kootenai Counties

The United States has issued an exchange conveyance document to the State of Idaho for the following-described lands under section 206 of the Federal Land Policy and Management Act of 1976:

Boise Meridian, Idaho

T. 53 N., R. 5 W.,
Sec. 28, NE¼SE¼.
T. 56 N., R. 2 W.,
Sec. 8, S½SE¼.
T. 57 N., R. 3 W.,
Sec. 17, S½NW¼NE¼NW¼.
Comprising 125.00 acres of public land.

In exchange for these lands, the United States acquired the following-described lands:

Boise Meridian, Idaho

T. 5 S., R. 27 E.,
Sec. 36, all.
T. 6 S., R. 27 E.,
Sec. 16, all;
Sec. 36, all.
T. 7 S., R. 27 E.,
Sec. 16, N½, N½SW¼, E½SE¼SW¼, SE¼SW¼, SE¼;
Sec. 36, all.
T. 8 S., R. 27 E.,
Sec. 16, all.
T. 6 S., R. 28 E.,
Sec. 16, all;
Sec. 25, SE¼SW¼, W½NW¼SW¼SE¼, SW¼SW¼SE¼;
Sec. 36, W½NE¼NW¼NE¼, W½NW¼NE¼, W¼SW¼NE¼, NW¼, N½NE¼SW¼, N½S½NE¼SW¼, S½SW½NE¼SW¼, SW¼SE¼NE¼SW¼.
T. 7 S., R. 28 E.,
Sec. 16, all.
T. 8 S., R. 28 E.,
Sec. 16, all.
Comprising 6,140.00 acres of State land.

The purpose of the exchange was to acquire State land which would complement management of the Bureau's Wapi Lava Flow portion of the proposed Great Rift Wilderness Area. The public interest was well served through completion of this exchange.

Dated: September 3, 1986.

William E. Ireland,

Chief, Realty Operations Section.

[FR Doc. 86-20503 Filed 9-10-86; 8:45 am]

BILLING CODE 4310-GG-M

[MT-030-06-4212-14]

Notice of Realty Action—Cancellation of Public Sale; Montana

AGENCY: Bureau of Land Management, Dickerson District Office, USDI.

ACTION: Notice of Realty Action M-63930 (ND), Cancellation of Sale of Public Lands in Grant County.

SUMMARY: This notice cancels the proposed competitive sale of public land in case M-63930 (ND) as published in the **Federal Register**, Vol. 50, No. 153, pages 32118 and 32119, issued Thursday, August 6, 1985, (FR Doc. 85-18846) because of lack of public interest. The public land is in the S½SW¼, Sec. 4, T. 134 N., R. 86 W., Fifth Principal Meridian.

Dated: September 3, 1986.

William F. Krech,

District Manager.

[FR Doc. 86-20418 Filed 9-10-86; 8:45 am]

BILLING CODE 4310-DN-M

[MT-030-06-4212-13]

Notice of Realty Action—Exchange Amendment; Montana

AGENCY: Bureau of Land Management, Dickinson District Office, USDI.

ACTION: Notice of Realty Action M-62060 (ND), Amendment to an exchange of public and private lands in Bowman County.

SUMMARY: This notice amends the legal description of the public land for an exchange of public and private land published in the **Federal Register**, Vol. 50, No. 251, pages 53404 and 53405, issued Tuesday, December 31, 1985, (FR Doc. 85-30905) to include additional lands. The following lands, located in Bowman and Grant Counties have been added to the list of lands identified as suitable for exchange.

Fifth Principal Meridian, North Dakota

T. 134 N., R. 86 W.,
Sec. 4, S½SW¼.
T. 129 N., R. 106 W.,
Sec. 18, NE¼SW¼.
T. 129 N., R. 107 W.
Sec. 12, SW¼SW¼;
Sec. 13, NW¼NE¼, N½NW¼.

DATES: For a period of 45 days from the date of publication of this notice in the **Federal Register**, interested parties may

submit comments to the District Manager, Bureau of Land Management, Dickinson District Office, P.O. Box 1229, Dickinson, ND 58602–1229.

Objections will be reviewed by the BLM Montana State Director, who may sustain, vacate or modify this realty action. In absence of any objections this realty action will become the final determination of the Department of the Interior.

Dated: September 3, 1986.

William F. Krech,

District Manager.

[FR Doc. 86–20419 Filed 9–10–86; 8:45 am]

BILLING CODE 4310-DN-M

[NV–930–06–4212–11; N–42531]

Realty Action; Lease or Sale of Public Lands for Recreation and Public Purposes in Nye County, NV

AGENCY: Bureau of Land Management, Interior.

ACTION: Realty Action; Lease or Sale of Public Lands for Recreation and Public Purposes in Nye County, NV.

SUMMARY: The following described public lands have been determined to be suitable and will be classified for lease or sale under the Recreation and Public Purposes Act, as amended (43 U.S.C. 869, et seq.):

Mount Diablo Meridian, Nevada

T. 12 S., R. 46 E.,
Section 23, S½NW¼, SW¼;
Section 26, N½NW¼.

The area described contains 320 acres.

The lands are not required for any Federal purpose. Disposal is consistent with the Bureau's planning for this area and would be in the public interest. The lands described in this notice will not be offered for lease or sale until the classification becomes effective.

Patent, when issued, will contain the following reservations to the United States:

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States pursuant to the Act of August 30, 1890 (43 U.S.C. 945).

2. All mineral deposits in the lands together with the right to prospect for, mine, and remove such deposits under applicable laws.

And will be subject to:

1. Provisions of the Recreation and Public Purposes Act and to all applicable regulations of the Secretary of the Interior.

2. All valid existing rights of record at the time of patent issuance.

3. Any other reservations the Authorized Officer determines appropriate to ensure public access and proper management of Federal lands and interests therein.

Upon publication of this Notice in the **Federal Register** the above described public lands will be segregated from all forms of appropriation under the public land laws, including locations under the mining laws, except as to applications under the mineral leasing laws and application under the Recreation and Public Purposes Act.

Comments: For a period of 45 days from the date of publication of this Notice in the **Federal Register**, interested parties may submit comments to the District Manager, P.O. Box 1420, Battle Mountain, Nevada 89820. Any adverse comments will be reviewed by the State Director. In the absence of any adverse comments, the classification of the lands described in this Notice will become effective 60 days from the date of publication in the **Federal Register.**

Dated: August 26, 1986.

Terry Plummer,

District Manager, Battle Mountain, Nevada.

[OR–050–4212–11: GP6–363; OR–40071]

Prineville District Office Realty Action, Recreation and Public Purposes Classification and Lease/Sale of Public Lands in Deschutes County, OR

The following described lands have been examined and found to be suitable for lease/sale under the Recreation and Public Purposes Act of June 14, 1926, as amended (43 U.S.C. 869 et seq.).

T. 22 S., R. 10 E., W.M. Deschutes County, Oregon

Section 11: SE¼ that portion lying east of Highway 97.
Section 12: W½SW¼ that portion lying west of the Burlington Northern Rail Road right-of-way.

The described lands, comprising 188.2 acres, are being offered by lease to the LaPine Special Sewer District, to allow development of a sewage collection, treatment and disposal system.

This Decision/Notice is based on the following:

(1) The lands have been found to be valuable for public purposes.

(2) The land is not of National Significance and not essential to any Bureau of Land Management Program.

(3) The proposed use is in conformance with BLM, STATE and Local Land Use Planning.

(4) The proposed action will not have significant or controversial environmental effects.

(5) The proposed use of these lands will serve important public objectives, ie. the protection of the regional shallow groundwater aquifer and related protection of public health.

(6) The classification, lease and/or patenting of the land to the LaPine Special Sewer District is in conformance with policy established by the Secretary of Interior to provide needed lands for community development.

The classification and granting of the lease with the option to purchase/patent the land will not be adverse to any known public or private interests. The lease will be subject to the following terms and conditions:

1. All timber on the site shall be sold at fair market value prior to any harvesting activity. A buffer zone of at least 220 feet will be maintained around the perimeter of the site. This buffer shall be thinned by overstory removal.

2. During development of the project, the holder shall be responsible for preventive and corrective road maintenance along Reed Road, and the road along the west side of the railroad right-of-way. This may include, but not be limited to blading the roadway, cleaning ditches and drainage facilities, dust abatement, and other requirements as directed by the authorized officer.

Classification of the lands for lease to the LaPine Special Sewer District, under the provisions of the above cited authority segregates them from all appropriations, including locations under the mining laws, except as to applications under the Mineral Leasing Laws.

Detailed information concerning this application, including the field reports and environmental assessments, are available for review at the Prineville District Office, Box 550, Prineville, OR 97754.

Petition for classification OR—40071 is approved as to the land described above.

On or before November 5, 1986, interested parties may submit comments to the District Manager, Bureau of Land Management, P.O. Box 550, Prineville, OR 97754. Objections will be reviewed by the State Director who may sustain, vacate or modify the realty action. In the absence of any objections, this realty action will become the Final Determination of this Department.

Dated: September 5, 1986.

James L. Hancock,

District Manager, Prineville District Office.

[FR Doc. 86–20509 Filed 9–10–86; 8:45 am]

BILLING CODE 4310-33-M

[W-88732]

Wyoming; Postponement of Realty Actions for Public Lands in Goshen County, WY

AGENCY: Bureau of Land Management, Interior.

ACTION: Postponement of Sale Date for Realty Action in Goshen County, Wyoming.

SUMMARY: The sale date of September 24, 1986 for a Realty Action (a modified competitive sale) for land parcel W-88732, T. 22 N., R. 63 W., 6th PM; section 7, SE¼SE¼; section 18, NE¼NE¼, published in the **Federal Register** on Tuesday, July 29, 1986 (51 FR 27090-27091) is hereby postponed until future notice pending further analysis.

Any sale bids will be returned immediately to the party of issuance.

When further analysis is completed, a decision will be made as to whether to reoffer the parcel for sale. If the parcel should be made available for sale, the sale date will be rescheduled and all affected parties contacted.

FOR FURTHER INFORMATION CONTACT: For any further information, contact the Platte River Resource Area Office, 111 South Wolcott, Room 111, Casper, Wyoming 82601, phone (307) 261-5191.

Dated: September 5, 1986.

James W. Monroe,

District Manager.

[FR Doc. 86-20510 Filed 9-10-86; 8:45 am]

BILLING CODE 4310-22-M

[AZ-050-06-4333-12]

Rules of Conduct and Supplementary Rules of Yuma District, AZ

AGENCY: Bureau of Land Management, Interior.

ACTION: Establishment of supplementary rules for areas within the Topock north section of the lower Colorado River special recreation management area, Havasu Portion.

SUMMARY: The affected areas comprise BLM-managed lands within the Yuma District situated in San Bernardino County, California, between Havasu National Wildlife Refuge and the City of Needles, and land in Mohave County, Arizona, 8 miles south of Bullhead City (Section 10, T. 19 N., R. 22 W., G&SRM, hereinafter section 10). In addition to the regulations contained in 43 CFR 8365.1, the following supplementary rules will apply to the area herein already described.

a. Overnight camping is prohibited within section 10 and the Beal Slough habitat development area.

b. Except where otherwise posted, all motorized vehicle travel is confined to graded and maintained roads as signed and inventoried.

c. Open fires are prohibited within section 10 and the Beal Slough habitat development area.

d. Cutting or damaging trees or plants is prohibited. No wood collecting is permitted.

e. The possession and use of fireworks are prohibited.

f. Beal Slough is a no-wake zone. Boats must be operated in a safe manner. Water skiing is prohibited.

EFFECTIVE DATE: September 25, 1986.

FOR FURTHER INFORMATION CONTACT: Mike Ford, Area Manager, Havasu Resource Area, 3189 Sweetwater, Lake Havasu City, Arizona 86403 (602) 855-8017.

SUPPLEMENTARY INFORMATION: The authority for establishing supplementary rules is contained in 43 CFR 8365.1-6. These rules and accompanying maps will be available in the Havasu Resources Area office, which has jurisdiction over the lands, sites, or facilities affected. These rules will also be posted near and/or within the lands, sites, or facilities affected.

J. Darwin Snell,

District Manager.

[FR Doc. 86-20511 Filed 9-10-86; 8:45 am]

BILLING CODE 4310-32-M

[WY-940-06-4520-12]

Filing of Plats of Survey; Wyoming

AGENCY: Bureau of Land Management, Interior.

ACTION: Filing of Plats of Survey.

SUMMARY: The plats of survey of the following described lands were officially filed in the Wyoming State Office, Bureau of Land Management, Cheyenne, Wyoming, effective 10:00 A.M., September 2, 1986.

Sixth Principal Meridian

T. 32 N., R. 79 W.

The plat showing the lotting and area of segregated mineral claim, unpatented Maud Lode, in Sec. 7, T. 32 N., R. 79 W., Sixth Principal Meridian, Wyoming, was accepted August 28, 1986.

This supplemental plat was prepared to meet certain administrative needs of this Bureau.

T. 53 N., R. 68 W.

The plat representing the dependent resurvey of the Thirteenth Standard Parallel North, through R. 68 W., the east and north boundaries and the subdivisional lines, T. 53 N., R. 68 W., Sixth Principal Meridian, Wyoming, Group No. 464, was accepted August 28, 1986.

T. 52 N., R. 69 W.

The plat representing the dependent resurvery of the Eighth Auxiliary Meridian West, through T. 52 N., between Rs. 68 and 69 We., the south and west boundaries and the subdivisional lines, T. 52 N., R. 69 W., Sixth Principal Meridian, Wyoming, Group Nos. 473 and 474, was accepted August 28, 1986.

These surveys were executed to meet certain administrative needs of this Bureau.

ADDRESS: All inquiries concerning these lands should be sent to the Wyoming State Office, Bureau of Land Management, P. O. Box 1828, 2515 Warren Avenue, Cheyenne, Wyoming 82003.

Dated: September 3, 1986.

Richard L. Oakes,

Chief Cadastral Surveyor for Wyoming.

[FR Doc. 86-20421 Filed 9-10-86; 8:45 am]

BILLING CODE 4310-22-M

Arizona; Safford District Grazing Advisory Board Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of meeting.

SUMMARY: The Bureau of Land Management (BLM), Safford District announces a forthcoming meeting of the Safford District Grazing Advisory Board.

DATE: Friday, October 17, 1986; 9:00 a.m.

ADDRESS: BLM Office, 425 E. 4th Street, Safford, Arizona 85546.

SUPPLEMENTARY INFORMATION: This meeting is held in accordance with Pub. L. 92-463. The agenda for the meeting will include:

1. Election of officers.
2. Proposed Range Improvement projects for Fiscal Year 87.
3. Progress report on Fiscal Year 86 Range Improvements.
4. Allotment management plans proposed for implementation in FY 87.
5. BLM management update.
6. Business from the floor.

The meeting will be open to the public. Interested persons may make oral statements to the Board between 10:00 p.m. and 11:00 p.m. A written copy of the oral statement may be required to be provided at the conclusion of the presentation. Written statements may also be filed for the Board's consideration. Anyone wishing to make an oral statement must notify the District Manager, Bureau of Land Management, 425 E. 4th Street, Safford,

Arizona 85546, by 4:15 p.m., Thursday, October 16, 1986.

Summary minutes of the Board meeting will be maintained in the District Office and will be available for public inspection and reproduction (during regular business hours) within thirty (30) days following the meeting.

Dated: September 3, 1986.

Lester K. Rosenkrance,

District Manager.

[FR Doc. 86-20415 Filed 9-10-86; 8:45 am]

BILLING CODE 4310-32-M

[MT-020-06-4410-02]

Montana; Miles City District Grazing Advisory Board Meeting

AGENCY: Bureau of Land Management, Miles City District Office.

ACTION: Grazing Advisory Board Meeting Notice.

SUMMARY: Notice is hereby given in accordance with Pub. L. 92-463 that the Miles City District Grazing Advisory Board will meet October 22, 1986. The meeting will begin at 10 a.m. in the conference room at the Miles City Resource Area Office, Bureau of Land Management, Miles City Plaza, Miles City Montana 59301.

The agenda for the Grazing Advisory Board meeting includes an organizational session with election of officers; a discussion of fiscal 1987 range managment projects, allotment management plans, and the allocation of 1987 range funds. The board will also hear an update on the noxious weed control program.

The meeting is open to the public. The public may make oral statements before the board or file written statements for their consideration. Summary minutes of the meeting will be maintained in the Bureau of Land Management District Office and will be available for public inspection and reproduction during regular business hours within 30 days following the meeting.

FOR FURTHER INFORMATION CONTACT: District Manager, Miles City District, Bureau of Land Management, P.O. Box 940, Miles City, Montana 59301.

Dated: September 5, 1986.

David D. Swogger,

Acting District Manager.

[FR Doc. 86-20508 Filed 9-10-86; 8:45 am]

BILLING CODE 4310-DN-M

[UT-060-4322-02]

Moab District Grazing Advisory Board Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Moab District Grazing Advisory Board Meeting.

SUMMARY: Notice is hereby given in accordance with Pub. L. 92-463 that a meeting of the Moab District Grazing Advisory Board will be held on October 15, 1986. The meeting will begin at 10:00 a.m. in the Conference room of the Bureau of Land Management District Office at 82 East Dogwood, Moab, Utah 84532.

The agenda for the meeting will include:

1. Election of officers.
2. Grazing Fee update.
3. Discussion of non-use requirements and procedures.
4. Discussion of I.G. Report on BLM Grazing Program.
5. Discussion of subleasing regulations.
6. Status Reports on San Juan and San Rafael RMP's.
7. Livestock leases on Colorado River Riparian zones.
8. Discussion of noxious weeds and shrub die-off problems.
9. Indian Creek cooperative management plan.
10. Prioritization of 1987 Allotment Project packages.

The meeting is open to the public. Interested persons may make oral statements to the board between 2:00 p.m. and 3:00 p.m. on October 15, 1986 or file written statements for the Boards consideration. Anyone wishing to make an oral statement must notify the District Manager, Bureau of Land Management, P.O. Box 970, Moab, Utah 84532, by October 10, 1986.

Summary minutes of the Board meeting will be maintained in the District Office and will be available within thirty (30) days following the meeting.

Gene Nodine,

District Manager.

September 3, 1986.

[FR Doc. 86-20499 Filed 9-10-86; 8:45 am]

BILLING CODE 4310-DQ-M

[UT-080-06-4830-12]

Vernal District Advisory Council Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Vernal District Advisory Council Meeting.

SUMMARY: A meeting of the Vernal District Advisory Council will be held on Thursday, October 16, 1986, commencing at 7:30 pm. The meeting will be held at the Vernal District Office Conference Room located at 170 South 500 East, Vernal, Utah.

The agenda items will include: (1) Nomination of Chairman and Vice-Chairman. (2) Setting Priorities for Implementation of the Book Cliffs Resource Management Plan and Possible Amendment on the Wild Horse Section, (3) Discussion of the Brown's Park Habitat Management Plan, (4) Update on the Transfer of the White River Oil Shale Facilities to BLM Jurisdiction and Possible Future Uses of the Facilities, (5) Comments from the General Public.

The meeting is open to the public. Persons desiring to present a statement to the Council should contact the District Manager at the below mentioned address or phone him at (801) 789-1362 not later than October 10, 1986.

FOR FURTHER INFORMATION CONTACT: David E. Little, District Manager, 170 South 500 East, Vernal, Utah 84078, Phone (801) 789-1362.

David E. Little,

District Manager.

[FR Doc. 86-20500 Filed 9-10-86; 8:45 am]

BILLING CODE 4310-DQ-M

INTERNATIONAL TRADE COMMISSION

[TA-503(a)-13 and 332-238]

President's List of Articles Which May Be Designated or Modified as Eligible Articles for Purposes of the U.S. Generalized System of Preferences

Correction

In FR Doc. 86-19952 beginning on page 31733 in the issue of Thursday, September 4, 1986, make the following corrections on page 31734:

1. In the third column, in the second line, "315,35" should read "315.35". In the fifth line, "715,62" and "715,641" should read "715.62" and "715.64" respectively.

2. In the same column, in the list under paragraph C, the petition number for "Singapore, Taiwan" should read "653.00". Also, in the last line of the list, the petition number for "Taiwan" should read "772.09".

BILLING CODE 1505-01-M

INTERSTATE COMMERCE COMMISSION

[Amdt. No. 5]

Movers' & Warehousemen's Association of America, Inc.—Agreement; Section 5a Application No. 4 [1]

AGENCY: Interstate Commerce Commission.

ACTION: Notice of decision and request for comment.

SUMMARY: Movers' & Warehousemen's Association of America, Inc. (MWA) has filed, pursuant to section 14(e) of the Motor Carriers Act of 1980 (MCA), an application for approval of its ratemaking agreement under 49 U.S.C. 10706(b). Since some modifications are required before the agreement receives final approval, and because new and complex questions are involved in determining whether the agreement is consistent with the MCA, the Commission solicits public comment on its interpretation and application of specific rate bureau provisions. Copies of MWA's proposed amended agreement are available for public inspection and copying at the Office of the Secretary, Interstate Commerce Commission, Washington, DC, 20423, and from MWA's representatives:

Herbert Burstein, Esq., and Zoe Ann Pace, Esq., Zelby & Burstein, Suite 2373, One World Trade Center, New York, NY 10048.

Mary B. Vann Hardman, Executive Director, Movers' & Warehousemen's Association of America, Inc., 1001 North Highland St., Arlington, VA 22201.

Additional information is in the Committee decision. Copies may be purchased from T.S. InfoSystems, Inc., Room 2229, Interstate Commerce Commission Building, Washington, DC, 20423, or call toll-free (800) 424–5403, or (202) 289–4357 in the Washington, DC metropolitan area.

DATES: Comments from interested persons are due by October 13, 1986. Replies are due by October 28, 1986.

ADDRESS: An original and 10 copies, if possible, of comments referring to Section 5a Application No. 4 should be sent to: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT:

Harold Johnson (202) 275–7971

or

Louis E. Gitomer (202) 275–7691.

[1] Section 5 was recodified as section 10706.

SUPPLEMENTARY INFORMATION: We have provisionally approved MWA's agreement as consistent with 49 U.S.C. 10706(b) and *Motor Carrier Rate Bureaus—Implementation of Pub. L. 96–296*, 364 I.C.C. 464 (1980) and 364 I.C.C. 921 (1981) (*Rate Bureau*), subject to certain conditions and modifications in the following subject areas: Identification and description of member carriers; right of independent action; employee docketing; open meetings; final disposition of cases; general standards for member voting and disposition of collectively established rates; single-line rates; and released rates. We have also offered comments and imposed requirements concerning the agreement generally. MWA has been directed to file a revised agreement conforming to the imposed conditions within 120 days of service of the decision.

In light of the complexity of interpretation involved in determining whether the agreement is consistent with the MCA and the *Rate Bureau* case, *supra*, we request applicant and other interested parties to comment on our interpretation of the controlling statutory and administrative criteria, and their application to MWA's agreement.

A copy of any comments filed with the Commission must also be served on MWA, which will have 15 days from the expiration of the comment period to reply. These comments will be considered in conjunction with our review of the modifications that MWA must submit to the Commission as a condition to final approval of its agreement.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

Authority: 49 U.S.C. 10321 and 10706 and 5 U.S.C. 553.

Decided: August 18, 1986.

By the Commission, Chairman Gradison, Vice Chairman Simmons, Commissioners Sterrett, Andre, and Lamboley. Commissioner Andre concurred in the provisional approval of this ageement. Chairman Gradison dissented with a separate expression.

Kathleen King,

Acting Secretary.

[FR Doc. 86–20450 Filed 9–10–86; 8:45 am]

BILLING CODE 7035-01-M

Section 5a Application No. 87; National Association of Specialized Carriers, Inc.

AGENCY: Interstate Commerce Commission.

ACTION: Cancellation of rate agreement and revocation of antitrust immunity.

SUMMARY: National Association of Specialized Carriers, Inc. (NASC), on June 24, 1986, filed a request to surrender its approved agreement and to withdraw pending amendments to its agreement owing to dissolution of the corporation. NASC must file a certificate of dissolution from the appropriate official in the state where it is incorporated. All outstanding antitrust immunity is revoked.

EFFECTIVE DATE: This decision is effective September 10, 1986.

FOR FURTHER INFORMATION CONTACT:

Robert G. Rothstein (202) 275–7912

or

Louis E. Gitomer (202) 275–7691.

SUPPLEMENTARY INFORMATION: Additional information is contained in the Commission's full decision. A copy may be purchased from T. S. InfoSystems, Inc., Room 2229, Interstate Commerce Commission Building, Washington, DC 20423; or call toll-free (800) 424–5403, or (202) 289–4357 in the Washington, DC, metropolitan area.

Energy and Environmental Statement

This action does not appear to significantly affect the quality of the human environment or conservation of energy resources.

Authority: 49 U.S.C. 10706 and 10321.

Decided: September 4, 1986.

By the Commission, Chairman Gradison, Vice Chairman Simmons, Commissioners Sterrett, Andre, and Lamboley.

Kathleen King,

Acting Secretary.

[FR Doc. 86–20449 Filed 9–10–86; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB–19 (Sub-No. 121X)]

The Baltimore and Ohio Railroad Company for Exemption of Abandonment in Richland County, OH

AGENCY: Interstate Commerce Commission.

ACTION: Notice of Interim Trail use or abandonment.

SUMMARY: The Interstate Commerce Commission issues a Notice of Interim Trail Use or Abandonment in response to a letter from The Baltimore and Ohio Railroad Company advising the Commission that it intends to enter into discussion with the Richland County Park District concerning possible trail use of the right-of-way. By decision served July 30, 1986, the Commission

exempted the abandonment of the involved line.

DATE: This notice will be effective September 11, 1986.

FOR FURTHER INFORMATION CONTACT: Donald J. Shaw, Jr. (202) 275–7245.

SUPPLEMENTARY INFORMATION: Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to T.S. InfoSystems, Inc., Room 2229, Interstate Commerce Commission Building, Washington, DC 20423, or call 289–4357 (DC Metropolitan area) or toll free (800) 424–5403.

Decided: September 2, 1986.

By the Commission, Jane F. Mackall, Director, Office of Proceedings.

Kathleen M. King,

Acting Secretary

[FR Doc. 86–20451 Filed 9–10–86; 8:45 am]

BILLING CODE 7035–01–M

DEPARTMENT OF JUSTICE

Lodging of Second Amended Consent Decree Pursuant to Clean Air Act; Providence, RI

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that on September 2, 1986, a proposed Second Amended Consent Decree in *U.S.* v. *City of Providence*, Civil Action No. 77–0375 was lodged with the United States District Court for the District of Rhode Island. The proposed Second Amended Consent Decree permits the Narragansett Bay Water Quality Management District Commission, successor-in-interest to the City of Providence to the ownership of the Field's Point facility to resume operation of its Field's Point sewage sludge incinerator No. 2 for the purpose of demonstrating compliance with the applicable New Source Performance Standards promulgated under the Clean Air Act, 42 U.S.C. 7401 *et seq.* After the tests are conducted the Commission, by the terms of the Decree, shall terminate operation of the incinerator until the Environmental Protection Agency ("EPA") gives the Commission notice that the incinerator has demonstrated compliance with the applicable New Source Performance Standards, or the Commission submits and EPA approves another proposal permitting the operation of incinerator for the purpose of demonstrating compliance with the applicable New Source Performance Standards.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General of the Land and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to the *U.S.* v. *City of Providence*, D.J. Ref. 90–5–1–1–758.

The proposed Second Amended Consent Decree may be examined at the office of the United States Attorney, District of Rhode Island, 223 Federal Building and Courthouse, Kennedy Plaza, Providence, Rhode Island, and at the Region I Office of the United States Environmental Protection Agency, John F. Kennedy Federal Building, Room 2207, Boston Massachusetts. Copies of the Second Amended Consent Decree may be examined at the Environmental Enforcement Section, Land and Natural Resources Division of the Department of Justice, Room 1517, Ninth Street and Pennsylvania Avenue NW., Washington, DC 20530. A copy of the proposed Second Amended Consent Decree may be obtained in person or by mail from the Environmental Enforcement Section, Land and Natural Resources Division of the Department of Justice.

Roger J. Marzulla,

Acting Assistant Attorney General, Land and Natural Resources Division.

[FR Doc. 86–20423 Filed 9–10–86; 8:45 am]

BILLING CODE 4410–01–M

Lodging of Consent Order Pursuant to Clean Air Act; Waste Management of Wisconsin, Inc.

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States* v. *Waste Management of Wisconsin, Inc.*, Civil Action No. 86–C–0956, was lodged with the United States District Court for the Eastern District of Wisconsin. The proposed Consent Decree concerns the control of fugitive dust emissions from the Omega Hills Landfill in Germantown, Wisconsin, in compliance with the Wisconsin State Implementation Plan limitations on emissions of particulate matter.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General of the Land and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States* v. *Waste Management of Wisconsin, Inc.*, D.J. reference #90–5–2–1–912.

The proposed Consent Decree may be examined at the office of the United States Attorney, 330 Federal Building, 517 East Wisconsin Avenue, Milwaukee, Wisconsin 53202, at the Region V office of the United States Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois and at the Environmental Enforcement Section, Land and Natural Resources Division of the Department of Justice, Room 1515, 9th Street and Pennsylvania Avenue NW., Washington, DC 20530. A copy of the proposed Consent Decree may be obtained in person or by mail from the Environmental Enforcement Section, Land and Natural Resources Division of the Department of Justice. In requesting a copy, please enclose a check in the amount of $2.00 payable to the Treasurer of the United States.

F. Henry Habicht II,

Assistant Attorney General, Land and Natural Resources Division.

[FR Doc. 86–20424 Filed 9–10–86; 8:45 am]

BILLING CODE 4410–01–M

[AAG/A Order No. 17–86]

Privacy Act of 1974; Amended System of Records

Pursuant to the provisions of the Privacy Act of 1974 (5 U.S.C. 552a), the U.S. Marshals Service (USMS), Department of Justice, is amending a system of records entitled "United States Marshals Service Training Files (JUSTICE/USM–006)."

The USMS is amending the system to add a new category of records to support its newly established Fitness in Total (FIT) Program; to identify the purpose of the system, the new system manager, and locations of the primary system and decentralized segments; to clarify the authority for maintenance of the system; to amend a routine use related to the release of information to the courts; and to make other minor clarifying changes.

5 U.S.C. 552a(e)(4) and (11) provide that the public be given a 30-day period in which to comment on new routine uses; the Office of Management and Budget (OMB), which has oversight responsibility under the Act, requires a 60-day period in which to review some of the proposed changes. Therefore, please submit any comments by October 14, 1986. The public, OMB, and the Congress are invited to submit comments to J. Michael Clark, Assistant Director, General Service Staff, Justice Management Division, Department of Justice, Room 9002, 601 D Street NW. Washington, D.C. 20530.

In accordance with 5 U.S.C. 552a(o), the Department has provided a report on this system to the Director, OMB, the

President of the Senate, and the Speaker of the House of Representatives.

The system description is reprinted below.

Dated: August 6, 1986.

Robert N. Ford,

Acting Assistant Attorney General for Administration.

Justice/USM-006

SYSTEM NAME:

United States Marshals Service Training Files (Justice/USM-006).

SYSTEM LOCATION:

a. Primary system: Associate Director for Administration, U.S. Marshals Service (USMS), One Tysons Corner Center, McLean, Virginia 22102.

b. Decentralized segments: Individual training files and the Fitness in Total (FIT) Program training assessment files, identified as items (1) and (3) under "Category of Records in the System," are located also at the USMS Training Academy, Department of Justice, Building 70, Glynco, Georgia 31524. Each district office of the USMS maintains FIT files only on their respective participants in the FIT Program (See Appendix).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

USMS employees.

CATEGORIES OF RECORDS IN THE SYSTEM:

(1) Individual training files contain information on the individual's educational background and employee training history, and an individual career development plan; (2) Skills files identify languages and other special skills possessed by the individual USMS employee; and (3) Individual FIT Program training assessment files contain records on physical and medical examinations, blood tests, health histories, physical assessments, and administrative records on participation, goal setting and progress while in the program. The Certificate of Medical Examination (SF-78) is maintained in the primary system at USMS Headquarters only unless obtained and placed in the district file by the individual FIT participant.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

28 U.S.C. 509, 510 and 569; 5 U.S.C. 301; 44 U.S.C. 3101; and 28 CFR 0.111(h).

PURPOSE OF THE SYSTEM

Individual training files are used to make employment, promotion, or retention determinations for all Deputy U.S. Marshals; to develop training histories; and to determine training and/or promotion eligibility. In addition, FIT Program training assessment files are used to make hiring/retention determinations for Deputy U.S. Marshal personnel entering on duty as of July 1, 1984 and later; to determine employees' eligibility to participate in the program; to tailor an individual fitness program for each employee; to chart employee progress in the program; to determine the need for and to chart progress toward weight reduction; to develop physical fitness standards for performance appraisal purposes; and to examine statistically the physical fitness level of the USMS workforce against law enforcement populations and the general population of the United States. Skills files are used to identify special skills and language abilities possessed by personnel to aid in staffing special assignments which require such skills.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Records or information may be disclosed as a routine used in a proceeding before a court or adjudicative body before which the USMS is authorized to appear when any of the following is a party to litigation or has an interest in litigation and such records are determined by the USMS to be arguably relevant to the litigation: The USMS or any of its subdivisions; any USMS employee in his or her official capacity, or in his or her individual capacity where the Department of Justice agrees to represent the employee; or the United States where the USMS determines that the litigation is likely to affect it or any of its subdivisions.

RELEASE OF INFORMATION TO THE NEWS MEDIA:

Information permitted to be released to the news media and the public pursuant to 28 CFR 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

RELEASE OF INFORMATION TO MEMBERS OF CONGRESS:

Information contained in systems of records maintained by the Department of Justice may be disclosed as is necessary to appropriately respond to congressional inquiries on behalf of constitutents.

RELEASE OF INFORMATION TO THE NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (NARA) AND THE GENERAL SERVICES ADMINISTRATION (GSA):

A record from a system of records may be disclosed as a routine use to NARA and to GSA in records management inspections conducted under the authority of Title 44 of the United States Code.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Originals of paper records contained in this system are kept in standard file cabinets. Skills files, summaries of FIT Program training assessment records, and duplicates of paper records are stored on magnetic discs.

RETRIEVABILITY:

Records are retrieved by name of employee.

SAFEGUARDS:

Records are maintained in metal filing cabinets which are locked during non-duty hours. Entry to headquarters is restricted by 24-hour guard service to employees with official and electronic indentification. Entry to the Training Academy and district offices is restricted generally to trainees/employees with official identification. Access to computerized records in this system is restricted to the responsible headquarters employees by assigned code.

RETENTION AND DISPOSAL:

Files are maintained until the employee leaves the USMS at which time paper records are shredded and magnetic discs are erased.

SYSTEM MANAGER AND ADDRESS:

The system manager is the Associate Director for Administration, U.S. Marshals Service, One Tysons Corner Center, McLean, Virginia 22102.

NOTIFICATION PROCEDURES:

Direct inquires to the system manager identified above, Attention: FOI/PA Officer. Clearly mark the letter and envelope "Freedom of Information/Privacy Act Request."

RECORD ACCESS PROCEDURES:

Make all requests for access in writing and clearly mark letter and envelope "Freedom of Information Act/Privacy Act Request." Clearly indicate name of the requester, nature of the record sought, approximate dates of the records, and provide the required verification of identity (28 CFR 16.41(d)).

Direct all requests to the system manager identified above, Attention: FOI/PA Officer, and provide a return address for transmitting the information.

CONTESTING RECORDS PROCEDURES:

Direct all requests to contest or amend information to the system manager listed above. State clearly and concisely the information being contested, the reasons for contesting it, and the proposed amendment to the information sought. Clearly mark the letter and envelope "Freedom of Information Act/Privacy Act Request."

RECORD SOURCE CATEGORIES:

Information contained in this system is collected from the individual, training personnel, the Combined Federal Law Enforcement Training Academy, examining physicians, fitness coordinators, and personnel records.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

[FR Doc. 86-20425 Filed 9-10-86; 8:45 am]

BILLING CODE 4410-01-M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 86-65]

NASA Advisory Council, Space Systems and Technology Advisory Committee, (SSTAC); Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, as amended, the National Aeronautics and Space Administration announces a forthcoming meeting of the NASA Advisory Council, Space Systems and Technology Advisory Committee, Ad Hoc Task Team on Reliability, Diagnostics and Quality Assurance.

DATE AND TIME: September 30, 1986, 8:30 a.m. to 4:30 p.m.

ADDRESS: National Aeronautics and Space Administration, 600 Independence Avenue, SW., Room 647, Washington, DC 20546.

FOR FURTHER INFORMATION CONTACT: Mr. John Smith, Code RX, National Aeronautics and Space Administration, Office of Aeronautics and Space Technology, Washington, DC 20546 (202/453-2834).

SUPPLEMENTARY INFORMATION: The Space Systems and Technology Advisory Committee (SSTAC) Ad Hoc Task Team on Reliability, Diagnostics and Quality Assurance, chaired by Mr. Adrian O'Neal, is comprised of six members and was formed to assess the technology base requirements for support of future space flight missions. The meeting will be open to the public up to the seating capacity of the room (approximately 20 persons including the team members and other participants).

Type of Meeting: Open.

Agenda: September 30, 1986.

8:30 a.m.—Briefings on the OAST Technology Program related to Reliability, Diagnostics and Quality Assurance.

12:30 p.m.—Discussion of study plan and assignment of study tasks.

4:30 p.m.—Adjourn.

September 4, 1986.

Richard L. Daniels,

Advisory Committee Management Officer, National Aeronautics and Space Administration.

[FR Doc. 86-20474 Filed 9-10-86; 8:45 am]

BILLING CODE 7510-01-M

NATIONAL TRANSPORTATION SAFETY BOARD

Accident Reports: Availability of and Responses to Safety Recommendations

Report No.	NTIS No.	Date	Subject
NTSB/RAR-86/01	PB86-916301	Mar. 2, 1986	Railroad Accident Report: Derailment of New York City Transit Authority Subway Train, Dekalb Avenue Station Brooklyn, New York, May 15, 1985.
NTSB/RAR-86/02	PB86-916303	June 20, 1986	Railroad Accident Report: Head-on Collision of Burlington Northern Railroad Company Freight Trains Extra 6311 West and Extra 6575 East, Near Westminster, Colorado, August 2, 1985.

Reports may be ordered from the National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161, for a fee covering the cost of printing, mailing, handling, and maintenance. For information on reports, call 703-487-4650 and to order subscriptions to report, call 703-487-4630.

Recommendation No.	Respondent	Date	Subject
I-86-3	SS	July 4, 1986	Assist the DOE in the creation of a national clearinghouse for alcohol and drug safety education programs.
I-78-15	Assoc. of American Railroads	Aug. 1, 1986	Disseminate safety procedures to railroad, wreckage-clearing contractor, special emergency response team personnel, and public safety officials in the communities through which the railroads operate.
I-78-16	do	do	Establish a procedure for regular reviews of railroad wreckage-clearing operations so that safety procedures can be upgraded.
I-86-01	Dept. of Education	Aug. 11, 1986	Create a national clearinghouse for alcohol and drug safety education programs.
I-86-02	do	do	Interdepartmental evaluation of Federal, State, and local alcohol and drug education programs.
A-84-49	FAA	do	Seek legislative authority to use the NDR to identify airmen whose driving licenses have been suspended or revoked for alcohol-related offenses.
A-85-112	FAA	Aug. 13, 1986	Revise the localizer backcourse runway 19 instrument approach procedure at the New Orleans International Airport.
A-85-113	FAA	do	Review instrument approach procedures at airports designated as the primary airport within a TCA or ARSA.
A-85-114	FAA	do	Institute measures to improve coordination between personnel involved in the design of TCA and ATSA airspace and those involved in the design of instrument approach procedures.
A-86-13	FAA	Aug. 19, 1986	Issue an AD to require that the placard concerning the installation of the nose gear centering spring bolt on Piper PA-34-200 airplanes be installed in Piper Model Seneca I and applicable Seneca II airplanes.
A-85-35-37	FAA	Aug. 21, 1986	Amend 14 CFR 121, 125, and 135 to require that all passenger air carrier aircraft operating under these Parts be equipped with life preservers.
A-85-42	FAA	do	Amend TSO-C13d to require that the timed donning tests include the time to extract the life preserver from an unopened package.

Recommendation No.	Respondent	Date	Subject
A-85-43	FAA	do	Amend TSO-C13d to establish donning test performance requirements and compliance criteria.
A-85-44	FAA	do	Amend TSO-C13d to require that the timed donning tests be performed without the use of a briefing card.
A-85-45	FAA	do	Amend TSO-C13d so that it does not preclude the use of single inflation chamber life preserver designs.
A-85-46	FAA	do	Amend TSO-C13d to require an automatically activated survivor locator light.
A-85-48	FAA	do	Amend TSO-C13d to provide minimum performance standards for flotation devices designed to meet the needs of infants.
A-85-38	FAA	do	Amend 14 CFR 25 and SFAR No. 23 to require that the stowage compartment for life preservers be located where the preserver will not be susceptible to water impact crash damage or cabin flooding.
A-85-41	FAA	do	Amend TSO-C69a to require quick-release girts and handholds on emergency evacuation slides.
A-85-125	FAA	do	Issue a series of ADs to require modification of seats installed in general aviation airplanes which have identified deficiencies.
A-85-134	FAA	Aug. 25, 1986	Require the manufacturer to modify the design of the Boeing 747 hydraulic systems so that the integrity of all four hydraulic systems will not be impaired.
A-83-83	FAA	do	Urge Direction Generale de L'Aviation Civil to review the engine manufacturer's program to identify the causes of the axial compressor blade failures in the Turbomeca Artouste III series engines.
A-86-14	FAA	do	Issue an AD to Electra operators to modfiy the air start access door to prevent an inflight opening from affecting airfoil aerodynamics.
A-86-15	FAA	do	Issue an Air Carrier Operations Bulletin to have POIs inform operators of Electra aircraft of the potential of an open air start access door to cause vibrations during takeoff and inflight.
A-86-16	FAA	do	Establish procedures to ensure that adquate surveillance of operators is maintained when a carrier's operations are located away from the office.
A-86-17	FAA	do	Instruct POIs to verify that supplemental operators are fulfilling their responsibility to ensure that competent personnel maintain and service operator's aircraft at transient locations.
A-86-18	FAA	do	Evaluate the information needed by crash/fire-rescue agencies to deal with inflight emergencies.
A-86-19	FAA	do	Provide guidance on topics and training in cockpit resource management so that operators can provide training to flightmembers.
A-86-30	FAA	do	Revise the current tower training curriculum at the ATC Academy to include practical "hands-on" training.
A-86-31	FAA	do	Establish a program for improved supervision of tower controller performance in which scanning, coordination, and use of proper phraseology is emphasized.
A-86-32	FAA	do	Establish a task force to develop memory aids to reduce ATCs forgetting traffic.
A-86-33	FAA	do	Require controllers to obtain a readback for hold, takeoff, or crossing clearances and for active runways.
A-86-34	FAA	do	Emphasize the importance of reading back taxi, hold-short, runway crossing, and takeoff clearances in proper phraseology.
A-86-35	FAA	do	Emphasize that a good operating practice is to monitor only assigned ATC communications frequencies after a clearance onto an active runway for department.
A-86-36	FAA	do	Revise controller phraseology for use when issuing takeoff and landing clearance to include the runway number.
A-86-37	FAA	do	Issue a GENOT directing the terminal ATC facilities to brief all controllers on the dangers of expedited traffic departing or crossing runways to accommodate arrival and departure traffic.
A-86-38	FAA	do	Issue an Advisory Circular delineating the pilot and controller roles in the prevention of runway incursion incidents.
A-86-39	FAA	do	Revise the near-midair collision reporting and investigating program to clarify the intent that near-collision on or near the airport surface constitute an occurrence which must be investigated.
A-84-40	FAA	do	Revise the requirements to report and investigate operational errors, pilot deviations, and near-midair collisions that involve aircraft on the ground as well as in the air.
A-86-41	FAA	do	Issue an air carrier operations bulletin to require air carrier inspectors to review air carrier training and operations manuals and pilot training programs to ensure they have standardized information about runway incursions.
A-86-42	FAA	do	Disseminate copies of the Report on Runway Incursions to terminal control facilities and to the ATC Academy for training programs.
A-86-43	FAA	do	Determine the most effective signs, markings, and procedures, from an operational and human performance perspective to prevent pilot-induced runway incursions.
A-86-47	FAA	do	Issue an AD superseding AD 46-38-03 and applicable to Ercoupe Model 415 airplanes requiring compliance with Ercoupe Service Bulletins Nos. 12 and 24 and the installation of fuel gascolator braces.
M-86-33	USCG	Aug. 11, 1986	Publiciz the availability and benefits of the use of rescue equipment.
M-86-34	USCG	do	Require life rafts to be installed so that unnecessary lifting will not be required when they are manually launched.
M-86-15	USCG	do	Require that masters and officers on passenger vessels carrying 50 or more passengers report to the vessel's operating company when they are taking any medication.
M-86-16	USCG	do	Develop and implement a memo of understanding with Puerto Rico concerning responsibilities, when various agencies participate in search and rescue situations.
H-86-23	Owner-Operators Ind. Drivers Assn. of America	Aug. 6, 1986	Work with the NSC to develop a guidance program designed to reach people who are considering a career in commercial truck driving.
H-79-31	Montana Governor	Aug. 4, 1986	Enact legislation to require that the driver of a motor vehicle with a seating capacity of more than 16 passengers, possess a drivers's license and a certificate from a bus driver training course.
H-85-12	Iowa Governor	Aug. 1, 1986	Develop a program to be used by school districts targeted at drivers of privately-owned and -operated pupil transportation vehicles that includes a review of all laws, regulations, and policies.
H-84-72	do	do	Enact legislation to require operators of noncommercial buses to demonstrate their driving skills by taking an examination and road test.
H-79-31	do	do	Enact legislation to require that the driver of a motor vehicle with a seating capacity of more than 16 passengers, possess a driver's license and a certificate from a bus drivers training course.
H-86-12	Ins. Serv. Office, Inc	do	Undertake a program encouraging member companies to offer financial incentives to motor carrier policy holders whose drivers have received formal training.
H-86-14	Prof. Truck Driver Inst. of America, Inc	Aug. 7, 1986	Compile and submit to BMCS the views of members of the trucking and truck driving training industries concerning revisions in the BMCS standards.
H-86-15	do	do	Develop a program for evaluating truck driver training schools.
H-86-16	do	do	Work with the NSC to develop a guidance program to reach people who are interested in considering a career in commercial truck driving.
H-86-10	Amer. Assoc. of Motor Vehicle Administrators	Aug. 12, 1986	Develop recommendations on how a National Driver License for truck drivers could be administered.
H-86-11	do	do	Urge all States to implement the NDR to obtain prompter access to records.
H-86-07	Amer. Assoc. of State Highway & Transp. Officials	Aug. 8, 1986	Work with the FHA to develop a bridge inspection procedure for elements.
H-86-49	Soc. of Pelvic Surgeons	Aug. 11, 1986	Disseminate informed guidance to those who treat motor vehicle crash victims concerning the nature, severity, and handling of injuries sustained by those using belt restraint systems.

Recommendation No.	Respondent	Date	Subject
H-86-12	American Insurance Assoc	Aug. 18, 1986	Encourage members to offer financial incentives to motor carrier policy holders whose drivers have received formal training.
H-86-12	Alliance of American Insurers	do	Same as above.
H-86-38	GM	Aug. 21, 1986	Provide aftermarket retrofit assemblies for passenger vehicles to convert lap-only belts systems at outboard positions to lap/shoulder belt systems.
H-86-39	GM	do	Provide in newly manufactured passenger vehicles, lap/shoulder belts in non-front outboard seating positions.
H-86-40	GM	do	Cooperate with NHTSA in determining the feasibility of providing lap/shoulder belts at non-outboard seating positions of passenger vehicles.
H-85-22	Dept. of Public Safety (AK)	Aug. 21, 1986	Child Passenger Safety Symposium: Ways to Increase Use and Decrease Misuse of Child Restraints.
R-79-64	CSX Transportation	Jul. 24, 1986	Establish train makeup and operation guidelines for trains carrying hazardous materials.
R-83-47	CSX Transportation	do	Revise the practices to include emergency response guidance information on the hazardous materials classified as "empty."
R-83-50	do	do	Revise the engineers' training program to require annual attendance at train dynamics analyzer classes.
R-83-51	do	do	Require engineers who fail to demonstrate proficiency in train handling during train dynamics analyzer classes to attend the training school.
R-79-29	Transit Rail Operations	Jul. 29, 1986	Change the emergency release mechanism so the doors can be opened by passengers in emergency conditions.
R-79-30	do	do	Provide a means for emergency personnel to open car doors from the outside.
R-79-31	do	do	Alter the interiors of the commuter cars to correct the injury-producing features of the car design.
R-76-14	do	do	Develop a program to improve all grade crossings used by commuter trains.
R-82-80	District of Columbia Fire Dept	Aug. 5, 1986	Require that the Fire Dept. expand its computer storage capability to include all the information needed by the fire dispatcher.
R-85-118	Chemical Manufacturers Association	do	Inform its members of the facts of the accident in Elkhart, Indiana, review the methods available to shippers to determine the quantity of material remaining in rails after unloading.
R-84-20	American Railway Engin. Association	Aug. 4, 1986	Assist in the identification of certain highway-railroad grade crossing locations, hazardous materials truck carriers that are involved in near collisions at grade crossings.
R-79-85	FRA	Aug. 5, 1986	Study the feasibility of requiring locomotives to be equipped with brake pipe flow indicators to enable engineers to measure trainline airflow.
R-76-13	FRA	do	Require flashing lights and gates as protection at all grade crossings used by commuter trains.
R-76-54	FRA	do	Develop a method that does not depend on crew observations that will indicate when a wheel has failed or is derailed.
R-76-55	FRA	do	Revise the CFR to ensure that wheels exposed or suspected of being exposed to critical temperatures are removed from service.
R-83-42	Maryland Governor	Aug. 8, 1986	Require that State contracts with the Baltimore and Ohio Railroad Company specify that adequate supervisory checks be performed by the railroad at those points where commute traincrews report to duty.
R-84-15	FRA	Aug. 11, 1986	Initiate inspections of tank cars equipped with excess flow valves to determine if the tank cars have improperly positioned excess flow valve sets, determine the cause, and require corrections.
R-81-96	Assoc. of American Railroads	do	Encourage railroads to develop programs for train crewmembers to report truck carriers identified as transporters of hazardous materials; crossings with passive warning devices; and hazardous materials trucks involved in near collisions.
R-85-120	Assoc. of American Railroads	Aug. 13, 1986	Issue guidelines for mechanical inspection of tank cars.
R-83-60	The ATSF Railway Company	Aug. 14, 1986	Establish supervisory procedures at crew-change terminals to insure that employees coming on duty are fit and capable of complying with the rules.
R-83-61	do	do	Enhance the training of all employes in their responsibilities and duties.
R-85-82	Amtrak	Aug. 20, 1986	Apply for an exclusive radio channel for National Railroad Corporation's operational use in New York.
R-85-83	do	do	Develop an operating rules verification procedure that will require employees to demonstrate that they understand the meaning of the rules and apply them.
R-82-113	Alabama Governor	Aug. 21, 1986	Install STOP and STOP AHEAD signs on County Road 42 where it intersects the track of the Southern Railway Company.
R-85-130	NOAA	do	Solicit the voluntary submission of real-time severe weather observations from citizens and observers to provide an overview of weather parameters at remote locations.

Single copies of these response letters are available on written request to: Public Inquiries Section, National Transportation Safety Board, Washington, DC 20594. Please include respondent's name, date of letter, and recommendation number(s) in your request. The photocopies will be billed at a cost of 14 cents per page ($1 minimum charge).

Monica Revelle,

Alternate Federal Register Officer.

September 2, 1986.

[FR Doc. 86-20427 Filed 9-10-86; 8:45 am]

BILLING CODE 7533-01-M

Safety Recommendations Issued; Availability of

Recommendation No.	Respondent	Date	Subject
P-86-15	DOT	August 13, 1986	Amend Final Order CPF No. 3541-H to Williams Pipe Line Company.
H-86-38	U.S. Manufacturers of Passenger Vehicles	August 8, 1986	Provide aftermarket retrofit assemblies for passenger vehicles to convert lap-only belts systems to lap/shoulder belt systems.
H-86-39	do	do	Provide in newly manufactured passenger vehicles, lap/shoulder belts in all non-front seating positions.
H-86-40	do	do	Determine the feasibility of providing lap/shoulder belts at non-outboard seating positions of passenger vehicles.
H-86-41	Foreign Manufacturers Passenger Vehicles	do	For passenger vehicles with lap-only belts at outboard positions, provide aftermarket retrofit assemblies to convert these belts to lap/shoulder belt systems.
H-86-42	do	do	Provide in newly manufactured passenger vehicles lap/shoulder belts in all non-front outboard seating positions.
H-86-43	do	do	Determine the technical feasibility of providing lap/shoulder belts at non-outboard seating positions of passenger vehicles.
H-86-44	NHTSA	do	Encourage manufacturers of passenger vehicles to provide aftermarket retrofit assemblies to convert lap-only belt systems to lap/shoulder belt systems.

Recommendation No.	Respondent	Date	Subject
H-86-45	NHTSA	do	Require that lap/shoulder belts be installed at all outboard seating positions in newly manufactured passenger vehicles manufactured for sale in the U.S.
H-86-46	NHTSA	do	Encourage manufacturers to provide lap/shoulder belts in all non-front outboard seating positions.
H-86-47	NHTSA	do	Determine the feasibility of requiring that 3-point lap/shoulder belts be provided at every seating position in newly manufactured passenger vehicles manufactured for sale in the U.S.
H-86-48	Intern'l Assoc. of Chiefs of Police	do	Disseminate information on the possibility for serious head, spine, and internal injuries to crash victims who were using a lap belt.
H-86-49	Assoc. and Groups Concerned with Emergency Medicine.	do	Disseminate guidance to those who treat crash victims with the nature, severity, and handling of injuries that can be sustained by those using belt restraint systems.
H-86-58	Agencies, Assocs. & Inst. interested in trans. farm equipment.	do	Work jointly to develop and widely disseminate an audio-visual program to promote the safe transportation of farm equipment on highways.
A-86-61	FAA	August 1, 1986	Identify all JT9D-7R4 series engines that have high pressure turbine rotating airseals made from material identified with head code RLTM and require removal of the airseals.
A-86-62	FAA	August 8, 1986	Conduct an investigation of the turbine rotating airseals in Pratt & Whitney JT9D-7R4 series engines to determine the requirements for an inspection program.
A-86-63	FAA	do	Establish a program to determine and correct the cause of fatigue failures in turbine rotating airseals in Pratt & Whitney JT9D-7R4 series engines.
A-86-64	FAA	do	Notify foreign civil aviation authorities and operators of airplanes equipped with Pratt & Whitney JT9D-7R4 series engines about the failures associated with the turbine rotating airseal in these engines and the actions taken to eliminate the failures.

Single copies of these recommendation letters are available on written request to Public Inquiries Section, National Transportation Safety Board, Washington, DC 20594. Please include addressee's name, date of the letter, and the recommendation number(s) in your request. The photocopies will be billed at a cost of 14 cents per page ($1 minimum charge).

Monica Revelle,

Alternate Federal Register Officer.

September 2, 1986.

[FR Doc. 86-20426 Filed 9-10-86; 8:45 am]

BILLING CODE 7533-01-M

Performance Review Board, Senior Executive Service; Appointment of Members

Appointments of Performance Review Board members are required to be published in the **Federal Register** by 5 U.S.C. 4314(c)(4).

The following persons have been appointed to, and will serve on Performance Review Boards for senior executives in the National Transportation Safety Board:

Patricia A. Goldman
John Hammerschmidt
Lloyd Miller
B. Michael Levins
Terrence Armentrout
Leslie Kampschror
John Stuhldreher
Hebert Banks
Robert Pyle
Barry Sweedler

Robert W. Pyle,

Director of Personnel.

[FR Doc. 86-20428 Filed 9-10-86; 8:45 am]

BILLING CODE 7533-01-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-382]

Consideration of Issuance of Amendment to Facility Operating License and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing; Louisiana Power & Light Co.

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF-38 issued to Louisiana Power and Light Company (the licensee), for operation of Waterford Steam Electric Station, Unit 3, located in St. Charles Parish, Louisiana. The request for amendment was submitted by letter dated June 24, 1986, as supplemented by letters dated August 4 and September 2, 1986.

According to Technical Specification 5.3.1, the Waterford 3 fuel is presently limited to a maximum enrichment of 3.70 weight percent U-235. Because Cycle 2 is being designed as an approximately 18-month cycle, increased fuel enrichments are needed. For Cycle 2 the maximum nominal enrichment will be 3.90 weight percent U-235; however, it is estimated that later cycles will require a maximum fuel enrichment of approximately 4.0 weight percent U-235. Therefore, the change will increase the level of enrichment for fuel to be loaded into the reactor core from a maximum of 3.70 weight percent U-235 to a maximum of 4.0 weight percent U-235. Analyses have been performed demonstrating the acceptability of storing fuel with a maximum enrichment of 4.0 weight percent in the fuel storage areas (spent fuel pool, new fuel storage vault, and containment temporary storage racks).

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

The Commission has made a proposed determination that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety.

A discussion of these standards as they relate to the amendment follows:

Criterion 1

The proposed change will increase the fuel enrichment limit in order to allow receipt of reload fuel for use in extended cycle operation. Middle South Services, Inc. has performed a criticality analysis for each of the fuel storage areas (new fuel vault, spent fuel pool, and containment temporary storage racks) using KENO, a 3-D monte carlo criticality analysis code. Based upon these analyses, the resultant K-eff for each of these areas is less than the required limit of 0.95 for enrichments up to 4.0 weight percent U-235. Because the calculated K-eff values (including uncertainties) indicate that the fuel storage configurations are substantially sub-critical (i.e.$\leq$ 0.95) the probability of a criticality event in these areas is not increased. No physical change is being made to the storage areas. Therefore, there are no increased adverse consequences for such a postulated event.

Criterion 2

Because there are no changes being made to trip setpoints of alaram functions, and there will be no change in how the facility is operated, the proposed change will not introduce a new or different kind of accident from those previously evaluated.

Criterion 3

Because the calculated values for K-eff (including uncertainties) are below the regulatory limits and because they reflect a substantial sub-critical configuration for each of the fuel storage areas under adverse conditions, the margin of safety is not reduced by implementing the proposed change.

Therefore, since the application for an amendment appears to satisfy the criteria specified in 10 CFR 50.92, the NRC staff proposed to determine that the requested change does not involve a significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination. The Commission will not normally make a final determination unless it receives a request for a hearing.

Comments should be addressed to the Rules and Procedures Branch, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

By October 10, 1986 the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license, and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written petition for leave to intervene. Request for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board Panel will rule on the request and/or petition, and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter, and the bases for each contention set forth with reasonable specificity. Contentions shall be limited to matters within the scope of the amendment under consideration. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held.

If the final determination is that the request for an amendment involves no significant hazards consideration, the Commission may issue the amendment and make it effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendments.

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 30-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish a notice of issuance and provide for opportunity for a hearing after issuance. The Commissio expects that the need to take this action will occur very infrequently.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 1717 H Street, NW., Washington, DC, by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at (800) 325-6000 (in Missouri (800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to George W. Knighton: petitioner's name and telephone number; date petition was mailed; plant name; and publication date and page number of this **Federal Register** notice. A copy of the petition should also be sent to the Office of the General Counsel-Bethesda, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to Mr. Bruce W. Churchill, Esq., Shaw, Pittman, Potts and Trowbridge, 1800 M Street, NW., Washington, DC 20036, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board, that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714 (a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for an amendment which is available for public inspection at the Commission's Public Document Room 1717 H Street, NW., Washington, DC, and at the University of New Orleans Library, Louisiana Collection, Lakefront, New Orleans, Louisiana 70122.

Dated at Bethesda, Maryland, this 5th day of September, 1986.

For the Nuclear Regulatory Commission.
George W. Knighton,
Director, PWR Project Directorate No. 7, Division of PWR Licensing-B.
[FR Doc. 86-20407 Filed 9-10-86; 8:45 am]
BILLING CODE 7590-01-M

[Dockets Nos. 50-269, 50-270, and 50-287]

Duke Power Co.; Consideration of Issuance of Amendments to Facility Operating Licenses and Proposed No Significant Hazards; Consideration Determination and Opportunity for Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating Licenses Nos. DPR-38, DPR-47 and DPR-55, issued to Duke Power Company (the licensee), for operation of the Oconee Nuclear Station, Units Nos. 1, 2 and 3, located in Oconee County, South Carolina.

In accordance with the licensee's application dated June 30, 1986, as superseded in its entirety September 2, 1986, the proposed amendments would revise the Station's common Technical Specifications (TSs) to support the operation of Oconee Unit 2 at full rated power during the upcoming Cycle 9.

The proposed amendment request changes the following areas:

1. Core Protection Safety Limits (TS 2.1);
2. Protection System Maximum Allowable Setpoints (TS 2.3);
3. Rod Position Limits (TS 3.5.2); and
4. Power Imbalance Limits (TS 3.5.2).

To support the license amendment request for operation of Oconee Unit 2, Cycle 9, the licensee submitted, as an attachment to the application, a Duke Power Company (DPC) Report, DPC-RD-2007, "Oconee Unit 2, Cycle 9 Reload Report," dated June 1986. A summary of the Cycle 9 operating parameters is included in the report, along with safety analyses.

During the refueling outage, 117 fuel assemblies will be reinserted similar to those previously used, and 60 fuel assemblies will be discharged and replaced with new, but substantially similar, assemblies of the Mark BZ type. As in the previous cycle, Cycle 9 will utilize gray (less-absorbing) axial power shaping rods (APSRs) instead of the previously used black (highly-absorbing) APSRs. The use of the Mark BZ fuel assemblies and the gray APSRs was approved by the Commission's staff for use at Oconee Unit 1 during Cycle 9, in amendments dated November 23, 1984.

Before issuance of the proposed license amendments, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

The Commission has made a proposed determination that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendments would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety.

The Commission has provided guidance concerning the application of the standards in 10 CFR 50.92 by providing certain examples (51 FR 7750). Example (iii) of the types of amendments not likely to involve significant hazards considerations is an amendment to reflect a core reload where:

(1) No fuel assemblies significantly different from those found previously acceptable to the Commission for a previous core at the facility in question are involved;
(2) No significant changes are made to the acceptance criteria for the Technical Specifications;
(3) The analytical methods used to demonstrate conformance with the Technical Specifications and regulations are not significantly changed; and
(4) The NRC has previously found such methods acceptable.

This particular reload involves the reinsertion of 117 fuel assemblies of a type previously approved and used and the insertion of 60 fuel assemblies of the Mark BZ type. The Mark BZ fuel assemblies are the same as previously approved and used assemblies in terms of fuel rods, end grid, end fittings, and guide tubes and differ only slightly from previously approved assemblies in the use of Zircaloy spacer grids rather than Inconel Intermediate Spacer grids. Thus, this core reload involves the use of fuel assemblies that are not significantly different from those found previously acceptable to the Commission for a previous core at this facility. The request for amendment changes the TSs to reflect new operating limits based on the fuel and control rods to be inserted into the core. These parameters are based on the new physics of the core and fall within the acceptance criteria.

In the analyses supporting this reload, there have been no significant changes in the acceptance criteria for the Technical Specifications, the analytical methods used to demonstrate conformance with the Technical Specifications and the regulations were not significantly changed, and those analytical methods have been previously found acceptable. Thus, this reload and the proposed license amendments reflecting it appear to be encompassed by example (iii) of amendments not likely to involve a significant hazards consideration. On this basis, the Commission proposes to determine that these amendments do not involve significant hazards considerations.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination. The Commission will not normally make a final determination unless it receives a request for a hearing.

Written comments may be submitted to the Rules and Procedures Branch, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should cite the publication date and page number of this **Federal Register** notice. Copies of comments received may be examined at the NRC Public Document Room, 1717 H Street NW., Washington, DC.

By October 14, 1986, the licensee may file a request for a hearing with respect to issuance of the amendments to the subject facility operating licenses and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written petition for leave to intervene. Request for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's 'Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding and how that interest may be affected by the results of the proceeding. The petition

should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intevene or who has been admitted as a party may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the sepcificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter, and the bases for each contention set forth with reasonable specificity. Contentions shall be limited to matters within the scope of the amendments under consideration. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendments and make them effective, notwithstanding the request for a hearing. Any hearing held would take place after issueance of the amendments.

If the final determination is that the amendments involve a significant hazards consideration, any hearing held would take place before the issuance of any amendments.

Normally, the Commission will not issue the amendments until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendments before the expiration of the 30-day notice period, provided that its final determination is that the amendments involve no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 1717 H Street NW., Washington, DC, by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at (800) 325-6000 (in Missouri (800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to John F. Stolz: petitioner's name and telephone number; date petition was mailed; plant name; and publication date and page number of this **Federal Register** notice. A copy of the petition should also be sent to the Office of the General Counsel-Bethesda, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to J. Michael McGarry, III, Bishop, Liberman, Cook, Purcell and Reynolds, 1200 17th Street, NW., Washington, DC 20036, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the Atomic Safety and Licensing Board, that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendments dated June 30, 1986, as superseded in its entirety September 2, 1986, which is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC, and at the Oconee County Library, 501 West Southbroad Street, Walhalla, South Carolina.

Dated at Bethesda, Maryland, this 8th day of September 1986.

For the Nuclear Regulatory Commission.

Gordon E. Edison,

Acting Director, PWR Project Directorate No. 6, Division of PWR Licensing-B.

[FR Doc. 86-20494 Filed 9-10-86; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-266 and 50-301]

Wisconsin Electric Power Co.; Denial of Request for Amendment to Facility Operating Licenses and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) has denied in part a request by the licensee for amendments to Facility Operating License Nos. DPR-24 and DPR-27, issued to the Wisconsin Electric Power Company (the licensee), for operation of the Point Beach Nuclear Plant, Unit Nos. 1 and 2 (the facilities), located in the Town of Two Creeks, Manitowoc County, Wisconsin.

The amendments as proposed by the licensee would modify the Point Beach Technical Specifications (TS), to allow reduced duration testing during type "A" containment integrated leak rate tests (CILRT) using either Bechtel BN-TOP-1 criteria (absolute method, total-time technique) or the EPRI NP-3400 criteria (absolute method, mass-point technique). The amendments would also allow containment purge supply and exhaust valves to be treated as Type "B" containment penetration for purposes of testing and repair. The amendments would also make some minor editorial changes. The licensee's application for the amendments was dated October 25, 1983 as revised February 7 and April 18, 1984. Notice of consideration of issuance of the amendments was published in the **Federal Register** on January 26, 1984 (49 FR 3344 at 3358) and on June 20, 1984 (49 FR 25350 at 25382).

Notice of issuance of Amendment Nos. 104 and 107 will be published in the Commission's next regular biweekly **Federal Register** notice.

The portion of the application which proposed a charge regarding reduced duration CILRT using the EPRI criteria was denied. The proposed TS for reduced duration testing (using the EPRI criteria) contain several discrepancies with the requirements of 10 CFR Part 50, Appendix J, with the EPRI NP-3400

report and with a previous CILRT performed on Point Beach Unit 1. These discrepancies include lack of criteria on minimum test duration, data acquisition frequency and number of data points, failure to require containment test condition stabilization prior to test start, the existence of potential nonconservatisms observed when using the proposed criteria during a CILRT on Unit 1 and lack of adequate validation for the proposed criteria. Based on the discrepancies in and uncertainties associated with the licensee's proposed short duration testing using the EPRI criteria, the staff denied the licensee' proposed Technical Specification.

The licensee was notified of the Commission denial of this request by letter dated August 27, 1986.

By September 29th, the licensee may demand a hearing with respect to the denial described above and any person whose interest may be affected by this proceeding may file a written petition for leave to intervene.

A request for a hearing or petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service branch, or may be delivered to the Commission's Public Document Room, 1717 H Street, NW., Washington, DC, by the above date.

A copy of the petition should also be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to Gerald Charnoff, Esq., Shaw, Pittman, Potts & Trowbridge, 1800 M Street, NW., Washington, DC 20036, attorney for the licensee.

For further details with respect to this action, see (1) the application for amendment dated October 25, 1983 as revised February 7 and April 18, 1984 and (2) the Commission's letter to Wisconsin Electric Power Company dated August 27, 1986, which are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, DC, and at the Joseph P. Mann Public Library, Two Rivers, Wisconsin. A copy of item (2) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Division of PWR Licensing-A.

Dated at Bethesda, Maryland, this 27th day of August 1986.

For the Nuclear Regulatory Commission.

Richard F. Dudley,

Acting Director, PWR Project Directorate No. 1 Division of Licensing-A.

[FR Doc. 86-20495 Filed 9-10-86; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 70-1113]

Issuance of Partial Director's Decision; General Electric Co., (Wilmington, North Carolina Facility)

Notice is hereby given that the Director, Office of Inspection and Enforcement, has issued a Partial Director's Decision pursuant to 10 CFR 2.206 concerning a Petition dated December 13, 1984, and supplements dated February 28, March 12, April 11, and June 20, 1985, filed by Mozart G. Ratner on behalf of Vera M. English. The Petitioner had requested, in part, that the Commission take escalated enforcement actions against General Electric Company for alleged violations of NRC regulations in the conduct of activities at the General Electric fuel fabrication facility at Wilmington, North Carolina. Certain issues raised by the Petitioner are being deferred pending further investigation by the NRC or further determinations by the Secretary of Labor. The remaining issues do not raise substantive health and safety concerns warranting any action at this time. Consequently, the Director, Office of Inspection and Enforcement, has denied the Petitioner's requests concerning those issues.

The reasons for this decision are explained in the "Partial Director's Decision" under 10 CFR 2.206 (DD-86-11), which is available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, DC.

A copy of the decision will be filed with the Secretary for Commission review in accordance with 10 CFR 2.206(c). As provided in 10 CFR 2.206(c), the decision will become the final action of the Commission twenty-five (25) days after issuance, unless the Commission on its own motion institutes review of the decision within that time.

For the Nuclear Regulatory Commission.

Dated at Bethesda, Maryland, this 29th day of August, 1986.

James M. Taylor,

Director, Office of Inspection and Enforcement.

[FR Doc. 86-20405 Filed 9-10-86; 8:45 am]

BILLING CODE 7590-01-M

Draft Regulatory Guide; Issuance, Availability

The Nuclear Regulatory Commission has issued for public comment a draft of a new guide planned for its Regulatory Guide Series together with a draft of the associated value/impact statement. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

The draft guide, temporarily identified by its task number, FC 601-4 (which should be mentioned in all correspondence concerning this draft guide), is entitled "Guide for the Preparation of Applications for Radiation Safety Evaluation and Registration of Devices Containing Byproduct Material" and is intended for Division 10, "General." It is being developed to provide guidance on preparing and submitting requests for radiation safety evaluations and registration of devices containing byproduct material.

This draft guide and the associated value/impact statement are being issued to involve the public in the early stages of the development of a regulatory position in this area. They have not received complete staff review and do not represent an official NRC staff position.

Public comments are being solicited on both drafts, the guide (including any implementation schedule) and the draft value/impact statement. Comments on the draft value/impact statement should be accompanied by supporting data. Written comments may be submitted to the Rules and Procedures Branch, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Comments may also be delivered to Room 4000, Maryland National Bank Building, 7735 Old Georgetown Road, Bethesda, Maryland from 8:15 a.m. to 5:00 p.m. Copies of comments received may be examined at the NRC Public Document Room, 1717 H Street, NW., Washington, DC. Comments will be most helpful if received by November 7, 1986.

Although a time limit is given for comments on these drafts, comments and suggestions in connection with (1) items for inclusion in guides currently being developed or (2) improvements in all published guides are encouraged at any time.

Regulatory guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC. Requests for single copies of draft guides (which may be reproduced) or for placement on an automatic distribution list for single

copies of future draft guides in specific divisions should be made in writing to the U.S. Nuclear Regualtory Commission, Washington, DC 20555, Attention: Director, Division of Technical Information and Document Control. Telephone requests cannot be accommodated. Regulatory guides are not copyrighted, and Commission approval is not required to reproduce them.

(5 U.S.C. 552(a))

Dated at Rockville, Maryland, this 3rd day of September 1986.

For the Nuclear Regulatory Commission.

Denwood F. Ross,

Acting Director, Office of Nuclear Regulatory Research.

[FR Doc. 86-20406 Filed 9-10-86; 8:45 am]

BILLING CODE 7590-01-M

Advisory Committee on Reactor Safeguards, Subcommittee on Containment Requirements; Meeting

The ACRS Subcommittee on Containment Requirements will hold a meeting on September 23, 1986, Room 1046, 1717 H Street, NW, Washington, DC.

The entire meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows:

Tuesday, September 23, 1986—9:00 a.m. Until the Conclusion of Business

The Subcommittee will review a draft position paper on containment performance design objectives as an addition to the Safety Goal Policy, and a draft of a proposed generic letter on Mark I containment requirements for severe accidents.

Oral statements may be presented by members of the public with the concurrence of the Subcommittee Chairman; written statements will be accepted and made available to the Committee. Recordings will be permitted only during those portions of the meeting when a transcript is being kept, and questions may be asked only by members of the Subcommittee, its consultants, and Staff. Persons desiring to make oral statements should notify the ACRS staff member named below as far in advance as is practicable so that appropriate arrangements can be made.

During the initial portion of the meeting, the Subcommittee, along with any of its consultants who may be present, may exchange preliminary views regarding matters to be considered during the balance of the meeting.

The Subcommittee will then hear presentations by and hold discussions with representatives of the NRC Staff, its consultants, and other interested persons regarding this review.

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call to the cognizant ACRS staff member, Mr. Dean Houston (telephone 202/634-3267) between 8:15 A.M. and 5:00 P.M. Persons planning to attend this meeting are urged to contact the above named individual one or two days before the scheduled meeting to be advised of any changes in schedule, etc., which may have occurred.

Dated: September 5, 1986.

Morton W. Libarkin,

Assistant Executive Director for Project Review.

[FR Doc. 86-20496 Filed 9-10-86; 8:45 am]

BILLING CODE 7590-01-M

Advisory Committee on Reactor Safeguards Subcommittees on Severe (Class 9) Accidents and Nuclear Plant Chemistry; Meeting

The ACRS Subcommittees on Severe (Class 9) Accidents and Nuclear Plant Chemistry will hold a combined meeting on September 24, 1986, Room 1046 1717 H Street, NW, Washington, DC.

The entire meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows:

Wednesday, September 24, 1986—8:30 A.M. until the conclusion of business

The Subcommittees will review the NRR Implementation Plan for Severe Accidents, including proposed regulatory changes related to PWR spray additives and BWR suppression pool scrubbing, and the IDCOR Methodology for Individual Plant Evaluation.

Oral statements may be presented by members of the public with the concurrence of the Subcommittee Chairman; written statements will be accepted and made available to the Committee. Recordings will be permitted only during those portions of the meeting when a transcript is being kept, and questions may be asked only by members of the Subcommittee, its consultants, and Staff. Persons desiring to make oral statements should notify the ACRS staff member named below as far in advance as is practicable so that appropriate arrangements can be made.

During the initial portion of the meeting, the Subcommittee, along with any of its consultants who may be present, may exchange preliminary views regarding matters to be considered during the balance of the meeting.

The Subcommittee will then hear presentations by and hold discussions with respresentatives of the NRC Staff, its consultants, and other interested persons regarding this review.

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call to the cognizant ACRS staff member, Mr. Dean Houston (telephone 202/634-3267) between 8:15 A.M and 5:00 P.M. Persons planning to attend this meeting are urged to contact the above named individual one or two days before the scheduled meeting to be advised of any changes in schedule, etc., which may have occurred.

Dated: September 8, 1986.

Morton W. Libarkin,

Assistant Executive Director for Project Review.

[FR Doc. 86-20497 Filed 9-10-86 8:45 am]

BILLING CODE 7590-01-M

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Services Policy Advisory Committee and Advisory Committee for Trade Negotiations; Meetings and Determination of Closing of Meetings

The meetings of the Services Policy Advisory Committee to be held Wednesday, October 1, 1986, from 2:00 p.m. to 5:00 p.m.; the Advisory Committee for Trade Negotiations to be held Friday, October 17, 1986, from 12:00 noon to 4:00 p.m., in Washington, DC, will include the development, review and discussion of current issues which influence the trade policy of the United States. Pursuant to section 2155(f)(2) of Title 19 of the United States Code, I have determined that these meetings will be concerned with matters the disclosures of which would seriously compromise the Government's negotiating objectives or bargaining positions.

More detailed information can be obtained by contacting Barbara North, Director, Office of Private Sector Liaison, Office of the United States Trade Representative, Executive Office of the President, Washington, DC 20506.

Alan **Woods**,

Acting United States Trade Representative.

[FR Doc. 86-20467 Filed 9-10-86; 8:45 am]

BILLING CODE 3190-01-M

Pre-Shipment Inspection and Customs Valuation Procedures Conducted by Private Companies on Behalf of Foreign Governments; Request for Comment

AGENCY: Office of the United States Trade Representative.

ACTION: Request for Public Comment.

SUMMARY: This notice solicits public comment in connection with the pre-shipment inspection and customs valuation procedures conducted by private companies on behalf of foreign governments. All submissions should be sent in conformance with 15 CFR 2003 with 20 copies to: Carolyn Frank, Secretary, Trade Policy Staff Committee, Office of the United States Trade Representative, Room 521, 600 17th Street NW., Washington, DC 20506.

DATE: Public comments are due by the close of business Wednesday, October 8, 1986.

FOR FURTHER INFORMATION CONTACT: Betsy Stillman, Director for Andean and Caribbean Affairs (202-395-5190) or Florizelle Liser, Director of Customs Valuation and Import Licensing Policy (202-395-3063), Office of the United States Trade Representative, Washington, DC 20506.

SUPPLEMENTARY INFORMATION: The U.S. Government has become increasingly aware of a growing trend among developing countries which, in their efforts to conserve scarce foreign exchange or ensure public coffer receipt of expected revenue, have employed private companies to perform Customs inspection and valuation functions, normally the responsibility of governments themselves. This has raised a new issue in international trade arising from the fact that while such private inspection companies assume the role of governments, they do not have the same direct responsibilities as do governments to conform to international obligations.

U.S. Government agencies have received numerous complaints from U.S. exporters about the pre-shipment inspection and pricing procedures employed by private inspection companies on behalf of foreign governments as a prerequisite to foreign market entry. We have received complaints concerning administrative delays, inspection company requests for business confidential information, and foreign government intervention, through its U.S. inspection company agent, in the setting of prices. The U.S. Government seeks the public's help in documenting business community experiences in complying with foreign government pre-shipment inspection and pricing requirements. Submissions should address the following areas:

—Pricing procedures and clarity of the procedures employed;
—The time required for pre-shipment inspections to be completed and the clarity of the procedures employed;
—The extent of requests for and submission of business confidential information; and
—The administrative cost to the exporter for complying with pre-shipment inspections.

The business community's submission of the most specific information will contribute greatly to the U.S. Government's efforts to address appropriately this new issue in international trade. Submissions should indicate clearly the information for which business confidential treatment is rquested and why such information should be accorded confidential treatment. A non-confidential summary should be included. In addition, submissions should indicate at the cover page that business confidential information is included and each page subject to a request for confidential treatment must be marked at the top: "BUSINESS CONFIDENTIAL".

The U.S. Government acknowledges the desire of debt-burdened developing countries to conserve foreign exchange and our objectives in pursuing this issue are, therefore, not aimed at stopping private inspection companies from providing appropriate services in that regard. However, the U.S. Government is concerned that inspection company agents of foreign governments perform such services in a manner that accords with internationally accepted standards and does not impede the flow of international trade.

Donald M. Phillips,

Assistant United States Trade Representative for Trade Policy Coordination.

[FR Doc. 86-20436 Filed 9-10-86; 8:45 am]

BILLING CODE 3190-01-M

PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL

Columbia River Basin Fish and Wildlife Program; Proposed Amendments, Hearings, and Public Comment Period

AGENCY: Pacific Northwest Electric Power and Conservation Planning Council.

ACTION: Notice of proposed amendments, hearings, and opportunity to comment.

SUMMARY: On November 15, 1982, the Pacific Northwest Electric Power and Conservation Planning Council (the Council) adopted a Columbia River Basin Fish and Wildlife Program (Fish and Wildlife Program). The Fish and Wildlife Program was amended on October 10, 1984 (programwide amendments), February 21, 1985 (salmon and steelhead framework, sections 201 and 1504, Action Item 36), and February 13, 1986 (mainstem passage sections). The Council is proposing again to revise and amend the Fish and Wildlife Program. The proposed amendments of the Program are being released for public review and comment, and public hearings will be held. This notice describes the proposed amendments, provides information on how to obtain additional information, including copies of the draft amendment document, and outlines the process for submitting written comments and participating in the hearings.

DATES AND ADDRESSES: The public comment period regarding the proposed amendments closes at 5 p.m., December 15, 1986. Public hearings on the proposed amendments will be held in:

- Spokane, Washington, October 2, 1986 at Cavanaugh's at the Park, Ballroom B from 1:00 p.m. to 9:00 p.m.;
- Portland, Oregon, October 8, 1986 at the Portland Building, 1120 S.W. 5th, Second Floor Auditorium; 1:00 p.m. to 9:00 p.m.; and
- Boise, Idaho, October 21, 1986 at the Red Lion Riverside; 1:30 p.m. to 9:00 p.m.;
- Kalispell, Montana, October 22, 1986 at the Outlaw Inn, 7:00 p.m. to 11:00 p.m.; and
- Missoula, Montana, October 23, 1986 at the Village Red Lion, 7:00 p.m. to 11:00 p.m.

Instructions For Oral Comment At Hearings

1. Requests for time slots must be made at least five days prior to the hearings to Ruth Curtis, Information Coordinator, at the Council's central

office, 850 S.W. Broadway, Suite 1100, Portland, Oregon 97205 or (503) 222–5161 (toll free 1–800–222–3355 in Idaho, Montana and Washington or 1–800–452–2324 in Oregon).

2. Those who do not sign up for time slots will be permitted to testify as time permits.

3. Hearings should be used to summarize written comments. Comments should not be read. Comments should be limited to the draft amendment document.

4. If possible, ten copies of hearing testimony should be submitted to the Council recorder at the hearings. This person will be sitting at a table near the Council members. (See instructions for written comment.)

5. Those persons officially representing an organization will have 15 minutes to summarize their written testimony. (Organizations may have only one official representative.) All other individuals will be limited to five minutes. These time limits will be observed strictly in order to allow parties to testify.

6. The Council may ask questions for clarification. If so, this will be over and above the time limits imposed above.

7. A written record of each hearing will be made. Appearance at more than one hearing is unnecessary. Scheduling preference will be given to individuals and groups which have not testified at other hearings.

Instructions For Written Comment

1. Comments should be limited to the draft amendment document and must be received in the Council's central office, 850 S.W. Broadway, Suite 1100, Portland, Oregon 97205 by 5 p.m. on December 15, 1986. Comments received after that time will not be considered.

2. Written comments should be marked "Draft Amendment Comments."

3. Comments should be specific and concise. They should refer to amendments by their code numbers. Alternative language should be submitted if a change is being proposed.

4. A marked up copy of the draft amendment document (or the appropriate section) indicating suggestions or revisions may be submitted. Suggested deletions should be lined out and placed in parentheses. Suggested new language should be underlined.

5. All comments should be typed, if possible, and double spaced. It would also be helpful if a separate page were prepared for comments on each proposed amendment or rejection. Provide ten copies of all comments, if possible.

One copy each of the Fish and Wildlife Program draft amendment document may be obtained free of charge by contacting Ruth Curtis at the Council's address and telephone above. The Council expects that copies will be available by September 1, 1986.

FOR FURTHER INFORMATION CONTACT: Dulcy Mahar, Director of Public Information and Involvement, 850 S.W. Broadway, Suite 1100, Portland, Oregon 97205 (toll-free 1–800–222–3355 in Idaho, Montana, and Washington; toll-free 1–800–452–2324 in Oregon; or 503–222–5161).

SUPPLEMENTARY INFORMATION: On November 15, 1982, as required by the Pacific Northwest Electric Power Planning and Conservation Act, Pub. L. 96–501, 94 Stat. 2697, 16 U.S.C. 839 *et seq.* (the Act), the Council adopted a Columbia River Basin Fish and Wildlife Program. The Act allows the Council to amend its Program from time to time, and requires the Council to review the Program (as part of the Power Plan) and request recommendations for amendments at least once every five years. At its meeting in Whitefish, Montana on August 6, 1986, the Council voted to release draft Fish and Wildlife Program amendments. These proposed amendments are the result of a process that began in July 1985, when the Council (as required by the Act) called for recommendations. More than 85 amendment applications were submitted by 25 individuals and organizations by the February 18, 1986 deadline. A summary of the amendment proposals and their complete text were made available to all interested parties. In addition, on June 10, 1986 the Council voted to accept another application, (code number 704(b)/Umatilla), submitted after the deadline. Some other amendments were proposed by the Council on its own motion or on the recommendations of its staff.

During the summer of 1986, both the Council and its staff considered the amendment applications, consulted with interested parties, and arrived at proposed dispositions of the amendment applications. These proposed dispositions are contained in the draft amendment document. The draft amendment document only contains proposed amendments to the Fish and Wildlife Program and applications proposed for rejection. The Council welcomes comments on both the proposed amendments and the proposed rejections.

Nothing in the draft amendment document is final. Council approval of release of this document does not constitute final Council endorsement of the dispositions proposed in the document. It simply represents a Council decision to seek public review of and comment on the proposals. The Council is willing to consider changing all or part of this document when it takes final action in February 1987. The Council will consider all oral and written testimony before making a final decision on the amendments. All comments, written and oral, will become part of the Council's administrative record and will be available for public review in the Public Reading Room of the Council's central office, Suite 1100, 850 Southwest, Broadway, Portland, Oregon 97205, weekdays between 8:30 a.m. and 5 p.m.

Major features of the draft amendment document include:

- A statement of hydropower responsibility for salmon and steelhead losses, proposed by the Council last spring.
- A description of the Council's approach to system planning for salmon and steelhead, based on a June 1986 Council staff issue paper on the same subject.
- Guiding principles and areas of emphasis for salmon and steelhead research.
- Changes in funding of habitat and tributary passage projects.
- Support for Bonneville funding of a spring chinook hatchery in northeastern Oregon.
- Widlife plans to mitigate the effects of Hungry Horse (proposed by the Council last spring) and Libby Dams in Montana.
- A policy on resident fish substitutions (proposed by the Council last spring) and the proposed addition of a variety of resident fish "substitution" projects to mitigate the effects of hydropower development in the blocked areas above Chief Joseph and Hells Canyon Dams.
- Changes in Water Budget accounting and transportation policy and reject of spill increases, all as proposed by the Council at its July meeting in Spokane.
- Provison of Bonneville power for a Umatilla pumping project to aid flows for fish.
- Provision for Bonneville funding of data collection on hatchery and natural production.
- Recognition of a Montana Power Company agreement to fund the purchase of water from Painted Rocks Reservoir to maintain flows for fish.
- No define schedule for future amendment proceedings.

Issues For Comment

The Council is particularly interested in comments on the following issues raised by this document.

1. *Standards*

The Northwest Power Act specifies the standards for program measures. See U.S.C. 839b(h)(5), (6). To be adopted by the Council, a proposal for amendment must:

a. Protect, mitigate, and enhance fish and wildlife affected by development, operation, and management of Columbia Basin hydropower facilities while assuring the region an adequate, efficient, economical, and reliable power supply.

b. Complement existing and future activities of fish and wildlife agencies and Indian tribes.

c. Be based on, and supported by, the best available scientific knowledge.

d. Where equally effective alternative means of achieving the same sound biological objective exist, use the alternative with the minimum economic cost.

e. Be consistent with legal rights of the Indian tribes.

f. With respect to anadromous fish, provide for improved survival at Columbia Basin hydropower facilities and provide flows for sufficient quality and quantity between facilities to improve production, migration, and survival as necessary to meet sound biological objectives.

The Council seeks comment on whether the amendments proposed for adoption in Part 1 of the draft document meet these standards. The Council or Council staff has concluded, tentatively, that the applications discussed in Part 2 of the document do not meet these standards. The Council welcomes comment on the proposed rejections as well.

2. *Five-Year Action Plan (Section 1504).*

The Council asks that commentors focus special attention on the proposed five-year action plan and provide their views on these questions: a) Does the proposed action plan reflect reasonable expectations of effort by the Bonneville Power Administration, Bureau of Reclamation, Corps of Engineers, and Federal Energy Regulatory Commission, the federal agencies given responsibilities by Congress in sections 4(h)(10) and 4(h)(11) of the Northwest Power Act, to help make the Council's program work? b) If not, what alternative action packages would be more reasonable for each agency?

3. *Bonneville Budget (Action Item 39.1).*

The Council would appreciate comment on how it can work more closely with Bonneville and others to use the Bonneville budgeting process as a means for publicly setting a fiscal pace for program implementation. Suggestions on ways to improve the annual work planning process also are welcome.

4. *Funding of Resident Fish Substitutions in Idaho (Sections 804(g)(1) & (2)).*

In section 207 of the draft, the Council recognizes that some areas in the basin where salmon and steelhead once were produced have been blocked by hydropower projects that make salmon and steelhead production infeasible ("blocked areas"), and has established selection criteria for projects to substitute resident fish for lost salmon and steelhead ("resident fish substitutions").

Six amendments applications propose resident projects above Hells Canyon Dam. The Council staff has reviewed those applications, found that they generally meet the Council's resident fish substitutions criteria, and included them in draft section 804(g)(2). However, the appropriate funding source for those projects is not clear because the blockages at and above Hells Canyon Dam came from a variety of sources over an extended period of time. The funding sources could include the Bonneville Power Administration, Bureau of Reclamation and/or Federal Energy Regulatory Commission on licenses. The Council staff solicits comments on these issues:

a. Are any entities willing to fund any of the projects listed in draft Section 804(g)(2)? If the identify of the appropriate funding sources for the draft Section 804(g)(2) projects cannot be readily ascertained or agreed to, what process should be used to identify funding sources?

b. Which project or projects permanently blocked the area to salmon and steelhead production? To what extent are those projects operated for hydropower purposes?

c. To what extent have salmon and steelhead losses due to hydropower development and operations in this area already been mitigated? By whom? In what way? Are there any unmitigated damages attributable to hydropower development or operations?

5. *Numerical Targets for Resident Fish Substitutions (Section 207).*

The Council's proposed resident fish substitutions policy, in draft section 207, states that proposed projects must "incorporate adaptive management principles," "achieve significant biological results," and "reflect a management plan with sound biological objectives." To that end, the Council requests comment on whether project proponents should be asked to state numerical production targets, as a way to measure results against quantified objectives.

6. *Fish Passage Center (Sections 304 and 404).*

In draft sections 304 and 404, the Council has proposed the Fish Passage Center as the point of contact between the fish and wildlife agencies and Indian tribes and the hydropower system on Water Budget and spill issues. Should the Center also serve as the point of contact on bypass and transportation issues?

The program now provides for two fish passage managers, one to represent the Indian tribes and one to represent the fish and wildlife agencies. Would it be more appropriate to fund one fish passage manager to represent both the Indian tribes and the fish and wildlife agencies?

7. *Protected Areas.*

Section 1204(c) of the current progrm calls for the Council to designate stream reaches and wildlife habitat areas in the Columbia River Basin to be protected from further hydroelectric development. The Council and Bonneville are nearing completion of a study of the hydroelectric potential of streams in the Columbia River Basin and the value of their fish and wildlife resources, and it soon will be important to identify the appropriate criteria to apply to the study information to decide which areas in the basin to designate for protection from hydropower development. The Oregon legislature recently enacted a statue designating all natural and wild production areas in Oregon for protection from new hydropower development. The Council welcomes comments on whether such an approach should be taken basinwide and suggestions for any alternative ways to choose protected areas for wildlife and resident fish, as well as salmon and steelhead.

8. *System Alternatives for Salmon and Steelhead*

In sections 203 and 204 of the draft document, the Council staff describes a planning process designed to lead to discussion of and choices among broad havest, production and passage alternatives, as well as the institutional framework needed to further those choices. The Council staff will circulate an issue paper on system alternatives in mid-October. That paper could address a number of broad, long-term issues related to salmon and steelhead in the basin and the future of the Council's

program. It could result in program amendments in addition to those proposed in this document. All recipients of this draft amendment document will receive that paper as well. The Council will schedule a second round of hearings on the paper, solicit written comment, and otherwise urge full and special attention to the questions raised by the issue paper.

Additional Information

For additional information on the proposed amendments and rejections, readers may wish to refer to the amendment applications, summary of applications, issue papers, minutes of Council meetings, and written comments submitted to the Council on applications and issue papers. All of those materials are available in the Council's administrative record of those amendment proceedings. The record is maintained in the Council's public reading room in its Portland office and is available for review and copying during regular business hours. Certain parts of the record can be ordered by mail. As noted above, an issue paper on salmon and steelhead policies to be distributed in October 1986, also may affect the proposed amendments. That issue paper also may be requested.

After considering all public comments received, the Council plans to adopt final Fish and Wildlife Program amendments in February, 1987.

Edward Sheets,

Executive Director.

[FR Doc. 86-20432 Filed 9-10-86; 8:45 am]

BILLING CODE 0000-00-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-23578; SR-CSE-86-5]

Self-Regulatory Organizations; by Cincinnati Stock Exchange, Inc., Order Approving Proposed Rule Change

The Cincinnati Stock Exchange, Inc. ("CSE") submitted on July 10, 1986, copies of a proposed rule change pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act") and Rule 19b-4 thereunder to amend Article IV, section 3.2 of its Code of Regulations concerning the delisting of a security by an issuer. Under the proposed rule, an issuer may be delisted from the Exchange at its own request provided that it furnishes the Exchange with a certified copy of a resolution adopted by the issuer's Board of Directors authorizing the withdrawal from listing and registration on the Exchange and providing a statement setting forth reasons and justifications for the proposed delisting. The proposal would permit the Exchange to require the issuer to submit the proposed withdrawal to the holders of the security for their vote where the security is not also listed on another exchange having rules requiring submission of any delisting proposal to the security holders for approval.

Currently, CSE rules require an issuer requesting delisting of a security from the Exchange to first obtain approval for such an action from its shareholders at a special or annual meeting. The CSE believes this requirement imposes an unnecessary burden on issures who list their securities on more than one exchange. According to the CSE, the proposed rule change would remove this burden without compromising the right of shareholders to have their security listed on at least one exchange for trading purposes.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by the issuance of a Commission release (Securities Exchange Act Release No. 23468, July 24, 1986) and by publication in the **Federal Register** (51 FR 27617, August 1, 1986). No comments were received with respect to the proposed rule change.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange and, in particular, the requirements of section 6 and the rules and regulations thereunder.

It is therefore ordered, pursuant to section 19(b)(2) of the Act, that the proposed rule change be, and hereby, is approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Dated: August 29, 1986.

Shirley E. Hollis,

Assistant Secretary.

[FR Doc. 86-20444 Filed 9-10-86; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF STATE

[Public Notice 981]

Agency Forms Submitted for OMB Review

AGENCY: Department of State.

ACTION: In accordance with the provisions of the Paperwork Reduction Act of 1980, the Department has submitted proposed collections of information to the Office of Management and Budget for review.

SUMMARY: The following summarizes the following collection proposals submitted to OMB:

1. Title of information collection—Overseas Schools Questionnaire.

Form number—FS-573, A & B.

Originating office—Office of Overseas Schools.

Type of request—Extension.

Frequency—Annual.

Respondents—Overseas schools seeking assistance.

Estimated number of responses—175.

Estimated number of hours needed to respond—175.

2. Title of Information Collection—Request for Assistance.

Form number—FS-574.

Originating office—Office of Overseas Schools.

Type of request—Extension.

Frequency—Annual.

Respondents—Overseas schools seeking assistance.

Estimated number of responses—175.

Estimated number of hours needed to respond—88.

3. Title of Information Collection—Approval of Funding to Support Educational Projects.

Form number—JF-45.

Originating office—Office of Overseas Schools.

Type of request—Extension.

Frequency—Annual.

Respondents—Overseas schools seeking assistance.

Estimated number of responses—175.

Estimated number of hours needed to respond—44.

4. Title of Information Collection—Overseas Schools, Grant Status Report.

Form number—JF-61.

Originating office—Office of Overseas Schools.

Type of request—Extension.

Frequency—Quarterly.

Respondents—Overseas schools seeking assistance.

Estimated number of responses—283.

Estimated number of hours needed to respond—212.

Section 3504(h) of Pub. L. 96-511 does not apply.

FOR FURTHER INFORMATION CONTACT: Copies of the proposed forms and supporting documents may be obtained from Gail J. Cook, (202) 647-4086. Comments and questions should be directed to (OMB) Francine Picoult, (202) 395-7231.

Dated: August 19, 1986.

Donald J. Bouchard,

Assistant Secretary for Administration.

[FR Doc. 86-20429 Filed 9-10-86; 8:45 am]

BILLING CODE 4710-24-M

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

[Order 86-9-12; Docket 44328]

Revocation of the Section 401 or 418 Certificates of National Express, Sundance International, Inc., and Wien Air Alaska, Inc.; Order to Show Cause

AGENCY: Department of Transportation, Office of the Secretary.

ACTION: Notice of Order to Show Cause, (Order 86-9-12) Docket 44328.

SUMMARY: The Department of Transportation is directing all interested persons to show cause why it should not issue an order revoking the section 401 or 418 certificates issued to National Express Inc. Sundance International, Inc., and Wien Air Alaska, Inc.

DATES: Persons wishing to file objections should do so no later than September 26, 1986.

ADDRESSES: Responses should be filed in Docket 44328 and addressed to the Documentary Services Division, Department of Transportation, 400 7th Street, SW., Room 4107, Washington, DC 20590 and should be served on the parties listed in Attachment A to the order.

FOR FURTHER INFORMATION CONTACT: Patricia T. Szrom, Special Authorities Division, P-47, U.S. Department of Transportation, 400 7th Street, SW., Washington, DC 20590, (202) 366-9721.

Dated: September 5, 1986.

Vance Port,

Acting Assistant Secretary for Policy and International Affairs.

[FR Doc. 86-20455 Filed 9-10-86; 8:45 am]

BILLING CODE 4910-62-M

Federal Highway Administration

Environmental Impact Statement; Baltimore County, MD

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement is being prepared for the proposed widening and extension of Beaver Dam Road from Beaver Court to Padonia Road.

FOR FURTHER INFORMATION CONTACT: Mr. Edward A. Terry, Jr., Field Operations Engineer, Federal Highway Administration, The Rotunda, Suite 220, 711 W. 40th Street, Baltimore, Maryland 21211, telephone 301/962-4010, and/or Mr. John Trenner, Chief, Highway Design and Approval Section, Baltimore County Department of Public Works, 111 W. Chesapeake Avenue, Towson, Maryland 21204, telephone 301/494-3739.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Maryland State Highway Administration and Baltimore County Department of Public Works is preparing an environmental impact statement to develop an acceptable alternate to widen approximately a one-mile portion of existing Beaver Dam Road to four lanes and to extend the facility approximately 0.6 mile on new location to Padonia Road.

In addition to the No-Build, five build alternates are under consideration. All five alternates involve the construction of a four-lane undivided highway with at-grade intersections at the cross streets. All Build alternates would have an adverse effect on the National Register Eligible Texas Historic District.

An Environmental Assessment has previously been completed and a public hearing held. The draft EIS is being prepared to further address the significant impacts to the Texas Historic District which were discussed in the Environmental Assessment and at the Public Hearing. Another public hearing is not anticipated since there have been no substantial changes in the project, the affected environment, or the identified impacts, since the last hearing. The draft EIS will be available for public and agency review and comment for a 45-day period following the publication of the availability notice in the **Federal Register.** To ensure that the full range of issues relating to this proposal are addressed and all significant issues identified, comments and suggestions are invited from all interested parties.

(Catalog of Federal Domestic Assistance Program Number 20.025, Highway Research, Planning and Construction. The provisions of Executive Order 12372 regarding State and local review of Federal and Federally assisted programs and projects apply to this program)

Emil Elinsky,

Division Administrator, Baltimore, Maryland.

[FR Doc. 86-20430 Filed 9-10-86; 8:45 am]

BILLING CODE 4910-22-M

Research and Special Programs Administration

Hazardous Materials; Applications for Exemptions

AGENCY: Research and Special Programs Administration, DOT.

ACTION: List of Applicants for Exemption.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous Materials Transportation has received the applications described herein. Each mode of transportation for which a particular exemption is requested is indicated by a number in the "Nature of Application" portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo Vessel, 4—Cargo-only aircraft, 5—Passenger-carrying aircraft.

DATES: Comment period closes October 14, 1986.

ADDRESS: Dockets Branch, Research and Special Programs Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate.

FOR FURTHER INFORMATION CONTACT: Copies of the applications are available for inspection in the Dockets Branch, Room 8426, Nassif Buildings, 400 7th Street, SW., Washington, DC.

NEW EXEMPTIONS

Application No.	Applicant	Regulation(s) affected	Nature of exemption thereof
9652-N	Dresser Industries, Inc., Houston, TX	49 CFR 173.103(a), (d), 175.3	To ship detonators, Class C explosives, in DOT-12B fiberboard boxes containing no more than 50 detonators each. (Modes 1, 4, 5).

NEW EXEMPTIONS—Continued

Application No.	Applicant	Regulation(s) affected	Nature of exemption thereof
9653-N	Stauffer Chemical Co., Westport, CT	49 CFR 173.31	To ship chlorine in a partially filled tank car, overdue for retest, from an unloading plant site to another plant site. (Mode 2).
9654-N	Interox America, Houston, TX	49 CFR 173.266(a)(2), 178.109-6	To ship hydrogen peroxide solution in water, exceeding 52% concentration, in aluminum drums complying with DOT Specification 42D except for rolling hoops. (Modes 1, 2, 3).
9655-N	Chevron U.S.A. Inc., El Segundo, CA	49 CFR 173.245b(a)(8)	To ship a corrosive solid in a non-DOT specification steel portable bin of 20 cubic yard capacity, secured to motor vehicle chassis during transportation. (Mode 1).
9657-N	Noranda Sales Corp., Toronto, ON	49 CFR 173.272, 179.201-1	To authorize shipment of sulfuric acid or oleum, classed as corrosive material in DOT Specification 111A100W2 tank car tanks equipped with bottom outlets. (Mode 2).
9658-N	Fluoroware, Inc., Chaska, MN	49 CFR 173.119, 173.245, 173.247, 173.248, 173.249, 173.249a, 173.256, 173.262, 173.263, 173.264, 173.265, 173.266, 173.267, 173.268, 173.269, 173.272, 173.276, 173.277, 173.288, 173.290, 173.292, 173.299.	To manufacture, mark and sell non-DOT specification composite polyethylene and Teflon portable tanks, enclosed within a wire mesh frame, having capacity of 220 gallons or 330 gallons, for shipment of certain flammable liquids, and corrosive liquids. (Modes 1, 2).
9659-N	Compositek Engineering Corp., Buena Park, CA	49 CFR 173.302, 173.304, 175.3	To manufacture, mark and sell S-2 glass fully overwrapped aluminum lined composite cylinders in accordance with DOT-FRP-1 Standard for shipment of compressed air, oxygen, helium, nitrogen, carbon dioxide, hydrogen, methane, and natural gas, classed as flammable gas or non-flammable gas, as appropriate. (Modes 1, 2, 3, 4, 5).
9660-N	Russell-Stanley West, Inc., City of Industries, CA	49 CFR 173.347	To manufacture, mark and sell DOT Specification 34 drum, of 55 gallon capacity, made from specific polyethylene resin and to a certain design, for shipment of aniline oil, classed as poison B. (Modes 1, 2, 3).
9662-N	National Agricultural Chemicals Association, Washington, DC	49 CFR 173.5(a)(2)	To authorize shipment of liquid formulated agricultural chemicals in two and one-half gallon capacity containers under special conditions. (Mode 1).
9663-N	Siepe GmbH, Federal Republic Germany	49 CFR 178.134	To manufacture, mark and sell 15 gallon steel overpacks similar to DOT Specification 37M except wall thickness is 25 gage instead of 24 gage and inner polyethylene drum meets DOT Specification 2SL except for marking, for shipment of those hazardous materials authorized in DOT Specification 37M/2SL. (Modes 1, 2, 3).
9664-N	Hughes Aircraft Co., El Segundo, CA	49 CFR 175.85	To authorize a laser device containing limited quantities of methane, classed as flammable gas, shipped as a consumer commodity, ORM-D to be carried in the cabin of a passenger carrying aircraft. (Mode 5).

This notice of receipt of applications for new exemptions is published in accordance with section 107 of the Hazardous Materials Transportation Act (49 U.S.C. 1806; 49 CFR 1.53(e)).

Issued in Washington, DC, on September 4, 1986.

J. Suzanne Hedgepeth,

Chief, Exemptions Branch, Office of Hazardous Materials Transportation.

[FR Doc. 86-20453 Filed 9-10-86; 8:45 am]

BILLING CODE 4910-60-M

Hazardous Materials; Applications for Renewal or Modification of Exemptions or Applications To Become Party to an Exemption

AGENCY: Research and Special Programs Administration, DOT.

ACTION: List of applications for renewal or modification of exemptions or Application to Become a Party to an Exemption.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous Materials Transportation has received the applications described herein. This notice is abbreviated to expedite docketing a public notice. Because the sections affected, modes of transportation, and the nature of application have been shown in earlier Federal Register publications, they are not repeated here. Except as otherwise noted, renewal applications are for extension of the exemption terms only. Where changes are requested (e.g. to provide for additional hazardous materials, packaging design changes, additional mode of transportation, etc.) they are described in footnotes to the application number. Application numbers with the suffix "X" denote renewal; application numbers with the suffix "P" denote party to. These applications have been separated from the new applications for exemptions to facilitate processing.

DATE: Comment period closes September 29, 1986.

ADDRESS: Dockets Branch, Research and Special Programs Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate.

FOR FURTHER INFORMATION CONTACT: Copies of the applications are available for inspection in the Dockets Branch, Room 8426, Nassif Buildings, 400 7th Street, SW., Washington, DC.

Application No.	Applicant	Renewal of exemption
2709-X	Atlantic Research Corp., Camden, AR.	2709
3095-X	Dowell Schlumberger, Inc., Tulsa, OK.	3095
3121-X	U.S. Department of Defense, Falls Church, VA.	3121
3330-X	Western Zirconium, Inc., Ogden, UT.	3330
3330-X	Babcock and Wilcox Co., Lynchburg, VA.	3330
4803-X	Dowell Schlumberger, Inc., Tulsa, OK.	4803
6293-X	Hercules, Inc., Wilmington, DE.	6293
6293-X	Olin Corp., East Alton, IL	6293
6296-X	UNIROYAL Chemical Co., Inc., Bethany, CT.	6296
6349-X	Airco Industrial Gases, Murray Hill, NJ.	6349
6543-X	Rohm and Haas Co., Philadelphia, PA.	6543
6874-X	Harrisons & Crosfield (Pacific), Inc., Emeryville, CA.	6874
6963-X	I.S.C. Chemicals Limited, Bristol, England.	6963
7046-X	J.T. Baker Chemical Co., Phillipsburg, NJ.	7046
7268-X	Union Carbide Corp., Danbury, CT.	7268
7285-X	Parlefer S.A.R.L., Paris, France.	7285
7778-X	Schenley Industries, Inc., New York, NY.	7778
7840-X	General Dynamic Corp., Fort Worth, TX.	7840
7840-X	Douglas Aircraft Co., Long Beach, CA.	7840
7840-X	Weber Aircraft, Burbank, CA	7840
7876-X	J.T. Baker Chemical Co., Phillipsburg, NJ.	7876
8003-X	Pennwalt Corp., Buffalo, NY	8003
8023-X	Acurex Corp., Mountain View, CA.	8023
8080-X	Diamond Shamrock Corp., Deer Park, TX.	8080

Application No.	Applicant	Renewal of exemption
8099-X	Union Carbide Corp., Danbury, CT (See Footnote [1]).	8099
8451-X	Atlas Powder Co., Dallas, TX	8451
8451-X	Boeing Aerospace Co., Seattle, WA.	8451
8451-X	Stresau Laboratory, Inc., Spooner, WI.	8451
8478-X	West-Mark, Ceres, CA	8478
8522-X	Tuscarora Plastics, Inc., Sterling, VA.	8522
8522-X	General Chemical Corp., Morristown, NJ.	8522
8723-X	IRECO Inc., Salt Lake City, UT.	8723
8723-X	Atlas Powder Co., Dallas, TX	8723
8735-X	Letica Corp., Rochester, MI (See Footnote [2]).	8735
8787-X	Motorola Semiconductor Sector, Phoenix, AZ.	8787
8817-X	Allied Corp., Morristown, NJ	8817
8839-X	Poly Processing Co., Inc., Monroe, LA (See Footnote [3]).	8839
8861-X	Hoover Group, Inc., Beatrice, NE.	8861
8865-X	Moog Inc., East Aurora, NY	8865
8878-X	Preussag AG Metall, Boslar, West Germany.	8878
8878-X	Corning Glass Works, Corning, NY.	8878
8904-X	Keith Huber, Inc., Gulfport, MS.	8904
8923-X	Union Carbide Corp., Danbury, CT.	8923
8931-X	C-I-L Inc., North York, Ontario, Canada.	8931
8942-X	Poly Processing Co., Inc., Monroe, LA (See Footnote [4]).	8942
8944-X	Union Carbide Corp., Danbury, CT (See Footnote [5]).	8944
8958-X	Goex, Inc., Moosic, PA	8958
9197-X	Grief Bros. Corp., Springfield, NJ.	9197
9235-X	Bennett Industries, Peotone, IL.	9235
9277-X	FMC Corp., Philadelphia, PA	9277
9280-X	Union Carbide Corp., Danbury, CT.	9280
9280-X	Dow Corning Corp., Midland, MI.	9280
9286-X	The Continental Group, Inc., Lombard, IL.	9286
9290-X	Mauser Packaging Ltd., New York, NY.	9290
9298-X	Eli Lilly Co., Indianapolis, IN	9298
9374-X	Poly Processing Co., Inc., Monroe, LA (See Footnote [6]).	9374
9374-X	Poly Cal Plastics, Inc., French Camp, CA (See Footnote [7]).	9374
9400-X	Poly Cal Plastics, Inc., French Camp, CA (See Footnote [8]).	9400
9400-X	Poly Processing Company, Inc., Monroe, LA (See Footnote [9]).	9400
9486-X	Bver Inc., Chester, WV	9486
9599-X	Gibson Cryogenics, Inc., El Cajon, CA (See Footnote [10]).	9599
9603-X	Tennessee Eastman Co., Kingsport, TN.	9603

[1] To authorize additional packaging configuration identical to that presently authorized except for a larger capacity for shipment of certain poison B solids, n.o.s.

[2] To increase specific gravity of commodities from 1.2 to 1.3.

[3] To authorize shipment of 10% nitric acid solution, classed as oxidizer, in non-DOT specification polyethylene portable tanks.

[4] To authorize shipment of 10% nitric acid solution, classed as oxidizer, in non-DOT specification polyethylene portable tanks.

[5] To renew and to modify certain procedures for acoustic emission testing of DOT Specification 3AX, 3AAX and 3T cylinders.

[6] To authorize shipment of 10% nitric acid solution, classed as oxidizer, in non-DOT specification polyethylene portable tanks.

[7] To authorize an additional classification of blasting agent.

[8] To authorize an additional classification of blasting agent.

[9] To authorize shipment of 10% nitric acid solution, classed as oxidizer, in non-DOT specification polyethylene portable tanks.

[10] To provide for shipment of liquid oxygen and liquid nitrogen in non-DOT specification portable tanks.

Application No.	Applicant	Parties to exemption
6418-P	Trical, Inc., Hollister, CA	6418
7024-P	Greenwood Motor Lines, Inc., Greenwood, SC.	7024
7052-P	Clifton Precision Systems Division, Springfield, PA.	7052
7694-P	Quantic Industries, Inc., San Carlos, CA.	7694
8445-P	MazMat Environmental Group, Inc., Buffalo, NY.	8445
8538-P	Atlas Powder Co., Tamaqua, PA.	8538
8723-P	Roundup Power Co., Inc., Miles City, MT.	8723
8958-P	Add Fire Inc., Miami Shores, FL.	8958
9338-P	Anaquest, Cleveland, OH	9338
9348-P	Motorola Inc., Fort Lauderdale, FL.	9348
9571-P	National Institutes of Health, Bethesda, MD.	9571
9617-P	Explosives, Inc., Clarksburg, WV.	9617

This notice of receipt of applications for renewal of exemptions and for party to an exemption is published in accordance with section 107 of the Hazardous Materials Transportation Act (49 U.S.C. 1806; 49 CFR 1.53(e)).

Issued in Washington, DC, on September 4, 1986.

J. Suzanne Hedgepeth,

Chief, Exemptions Branch, Office of Hazardous Materials Transportation.

[FR Doc. 86-20454 Filed 9-10-86; 8:45 am]

BILLING CODE 4910-60-M

Saint Lawrence Seaway Development Corporation

Advisory Group on Strategic Planning for the St. Lawrence Seaway; Change in Meeting Site

On September 3, 1986, a notice of a public meeting of the Advisory Group on Strategic Planning for the St. Lawrence Seaway was published in Volume 51, No. 170 on page 31386 of the **Federal Register.** This notice indicated that the meeting would be held in Room 2253 Rayburn House Office Building. In order to better accommodate the public who wish to attend, the meeting room has been changed to Room 538 Dirksen Senate Office Building. All other details of the meeting are as published in the September 3rd notice.

Joan C. Hall,

Advisory Board Liaison.

[FR Doc. 86-20504 Filed 9-10-86; 8:45 am]

BILLING CODE 4910-61-M

DEPARTMENT OF THE TREASURY

Public Information Collection Requirements Submitted to OMB for Review

Date: September 5, 1986.

The Department of Treasury has submitted the following public information collection requirements to OMB for review and clearance under the Paperwork Reduction Act of 1980, Pub. L. 96-511. Copies of these submissions may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding these information collections should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Room 7221, 1201 Constitution Avenue, Washington, DC 20220.

Bureau of Alcohol, Tobacco and Firearms

OMB Number: 1512-0052
Form Number: ATF F 5230.9
Type of Review: Extension
Title: Brewer's Monthly Report of Operations

OMB Number: 1512-0205
Form Number: ATF REC 5110/1—ATF F 5110.40)
Type of Review: Extension
Title: Distilled Spirits Plants (DSP) Production Records and Report

Clearance Officer: Robert G. Masarsky (202) 566-7077, Bureau of Alcohol, Tobacco and Firearms, Room 7202, Federal Building, 1200 Pennsylvania Avenue, NW, Washington, DC 20226.

OMB Reviewer: Milo Sunderhauf (202) 395-6880, Office of Management and Budget, Room 3208, New Executive Office Building, Washington, DC 20503.

Comptroller of the Currency

OMB Number: 1557-0156
Form Number: FFIEC 035
Type of Review: Extension
Title: Monthly Consolidated Foreign Currency Report of Banks in the United States

Clearance Officer: Eric Thompson, Comptroller of the Currency, 5th Floor, L'Enfant Plaza, Washington, DC 20219.

OMB Reviewer: Robert Neal (202) 395-6880, Office of Management and Budget, Room 3208, New Executive Office Building, Washington, DC 20503.

Internal Revenue Service

OMB Number: 1545-0045
Form Number: IRS Form 976
Type of Review: Extension

Title: Claim for Deficiency Dividends Deduction by a Personal Holding Company, Regulated Investment Company or Real Estate Investment Trust

Clearance Officer: Garrick Shear (202) 566–6150, Room 5571, 1111 Constitution Avenue, NW, Washington, DC 20224.

OMB Reviewer: Robert Neal (202) 395–6880, Office of Management and Budget, Room 3208, New Executive Office Building, Washington, DC 20503.

Douglas J. Colley,

Departmental Reports Management Office.

[FR Doc. 86–20488 Filed 9–10–86; 8:45 am]

BILLING CODE 4810–25–M

Sunshine Act Meetings

Federal Register
Vol. 51, No. 176
Thursday, September 11, 1986

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

CONTENTS

	Item
Federal Election Commission	1
Federal Reserve System	2
National Labor Relations Board	3
Securities and Exchange Commission	4, 5
United States Institute of Peace	6

1

FEDERAL ELECTION COMMISSION

DATE AND TIME: Thursday, September 16, 1986 at 10:00 a.m.

PLACE: 999 E Street, NW., Washington, DC.

STATUS: This meeting will be closed to the public.

ITEMS TO BE DISCUSSED:

Compliance matters pursuant to 2 U.S.C. 437g
Audits conducted pursuant to 2 U.S.C. 437g, 438(b), and Title 26, U.S.C.
Matters concerning participating in civil actions or proceedings or arbitration
Internal personnel rules and procedures or matters affecting a particular employee
* * * * *

DATE AND TIME: Thursday, September 18, 1986, at 10:00 a.m.

PLACE: 999 E Street, NW., Washington, DC (Ninth Floor).

STATUS: This meeting will be open to the public.

MATTERS TO BE CONSIDERED:

Setting of Dates for Future Meetings
Correction and Approval of Minutes
Any matters not concluded at the meeting of September 11, 1986
Routine Administrative Matters

PERSON TO CONTACT FOR INFORMATION: Mr. Fred Eiland, Information Officer, Telephone: 202-376-3155.

Marjorie W. Emmons,
Secretary of the Commission.
[FR Doc. 86-20536 Filed 9-9-86; 10:26 am]
BILLING CODE 6715-01-M

2

FEDERAL RESERVE SYSTEM BOARD OF GOVERNORS

TIME AND DATE: 10:00 a.m., Wednesday, September 17, 1986.

PLACE: Marriner S. Eccles Federal Reserve board Building, C Street entrance between 20th and 21st Streets, NW., Washington, DC 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.
2. Any items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board; (202) 452-3204. You may call (202) 452-3207, beginning at approximately 5 p.m. two business days before this meeting, for a recorded announcement of bank and bank holding company applications scheduled for the meeting.

Dated: September 9, 1986.

William W. Wiles,
Secretary of the Board.
[FR Doc. 86-20624 Filed 9-9-86; 3:56 pm]
BILLING CODE 6210-01-M

3

NATIONAL LABOR RELATIONS BOARD

TIME AND DATE: 3:00 p.m., Friday September 5, 1986.

PLACE: Board Conference Room, Sixth Floor, 1717 Pennsylvania Avenue, NW.

STATUS: Open to public observation.

MATTERS TO BE CONSIDERED: Discussion of Budget of National Labor Relations Board.

CONTACT PERSON FOR MORE INFORMATION: John C. Truesdale, Executive Secretary, Washington, DC 20570, Telephone: (202) 254-9430.

Dated, Washington, DC, September 8, 1986.
By direction of the Board.

John C. Truesdale,
Executive Secretary, National Labor Relations Board.
[FR Doc. 86-20595 Filed 9-9-86; 3:35 pm]
BILLING CODE 7545-01-M

4

SECURITIES AND EXCHANGE COMMISSION

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: [51 FR 30936/ August 29, 1986].

STATUS: Closed meeting.

PLACE: 450 Fifth Street, NW., Washington, DC.

DATE PREVIOUSLY ANNOUNCED: Thursday, August 25, 1986.

CHANGE IN THE MEETING: Additional items.

The following items were considered at a closed meeting held on Wednesday, September 3, 1986, at 2:30 p.m.

Formal orders of investigation.

Commissioner Fleischman, as duty officer, determined that Commission business required the above changes and that no earlier notice thereof was possible.

At times changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: Jacqueline Higgs at (202) 272-2149.

Shirley E. Hollis,
Assistant Secretary.
September 4, 1986.
[FR Doc. 86-20559 Filed 9-9-86; 12:42 pm]
BILLING CODE 8010-01-M

5

SECURITIES AND EXCHANGE COMMISSION

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: (To be published).

STATUS: Open meeting.

PLACE: 450 Fifth Street, NW., Washington, DC.

DATE PREVIOUSLY ANNOUNCED: Wednesday, September 3, 1986.

CHANGE IN THE MEETING: Additional meeting.

The following item will be considered at an open meeting to be held on Wednesday, September 10, 1986, at 3:00 p.m., in Room 1C30.

Formal orders of investigation.

Commissioner Peters, as duty officer, determined that Commission business required the above changes and that no earlier notice thereof was possible.

The Commission will consider Expiration Friday trading procedures. For further information, please contact Eneida Rosa at (202) 272-2893.

At times changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted

or postponed, please contact: Patrick Daugherty at (202) 272–3077.

Shirley E. Hollis,

Assistant Secretary.

September 8, 1986.

[FR Doc. 86–20560 Filed 9–9–86; 12:42 pm]

BILLING CODE 8010–01–M

6

UNITED STATES INSTITUTE OF PEACE

TIMES AND DATES: 10:00 a.m.–5:00 p.m., Thursday, September 18, 1986; 9:00 a.m.–5:00 p.m., Friday, September 19, 1986.

PLACE: National Courts Building, Room 309 (Courtroom 10), 717 Madison Place, NW., Washington, DC 20005.

STATUS: Open (portions may be closed pursuant to subsection (c) of section 552(b) of title 5, United States Code, as provided in subsection 1706(h)(3) of the United States Institute of Peace Act, Pub. L. 98–525).

AGENDA (TENTATIVE): Meeting of Board of Directors convened. Consideration of minutes of fifth meeting. Preliminary Report on *Peace and Research: An Intellectual Map.* Grants Procedures Update. Meeting of Directors of the Endowment. Plenary Meeting. Consideration of grant applications.

CONTACT: Mrs. Olympia Diniak. Telephone: (202) 789–5700.

Dated: September 8, 1986.

Robert F. Turner,

President, United States Institute of Peace.

[FR Doc. 86–20519 Filed 9–9–86; 8:55 am]

BILLING CODE 6820–PA–M

federal register

Thursday
September 11, 1986

Part II

Department of Health and Human Services

Office of Human Development Services

Administration for Children, Youth and Families; Head Start Program; Notice

DEPARTMENT OF HEALTH AND HUMAN SERVICES

[Program Announcement No. 13600-861]

Office of Human Development Services Administration for Children, Youth and Families Head Start Program

AGENCY: Administration for Children, Youth and Families (ACYF), Office of Human Development Services (OHDS), Department of Health and Human Services (DHHS).

ACTION: Announcement of availability of Federal financial assistance and request for applications to establish a national network of ten Head Start Training and Technical Assistance (T/TA) Resource Centers.

SUMMARY: The Head Start Bureau (HSB) of the Administration for Children, Youth and Families, OHDS, announces that competing applications will be accepted for financial assistance through cooperative agreements to operate ten new Regional and multi-Regional Resource Centers for Fiscal Year 1987. These cooperative agreements will involve substantial participation of the HSB/ACYF and regional offices in activities which the recipient organizations will carry out with the funds provided through the awards. The purpose of these cooperative agreements will be to provide training and technical assistance (T/TA) for support of local grantees in their management and provision of Head Start services. These cooperative agreements will be awarded and administered by the Head Start Bureau, ACYF/OHDS.

Applications are being solicited now so that the competitive process for selecting Resource Centers can be completed and T/TA services provided to Head Start grantees as early as possible in Fiscal Year 1987. The availability of funds for FY 1987 is dependent on passage of appropriations by the Congress.

DATE: The closing date for receipt of applications is November 10, 1986.

Application receipt point: Department of Health and Human Services, Office of Human Development Services, Grants and Contracts Management Division, 200 Independence Avenue, SW., Washington, DC 20201.

FOR FURTHER INFORMATION CONTACT: Edmund Clark, (202) 755-8208.

SUPPLEMENTARY INFORMATION:

Part I. General Information

A. Program Purpose

The Head Start program is designed to provide comprehensive developmental services primarily to low-income preschool children, age three to the age of compulsory school attendance, and their families. To aid enrolled children to obtain their full potential, Head Start programs provide comprehensive health, nutritional, educational, social and other services. The Head Start Act was originally enacted as part of the Economic Opportunity Act of 1964, Pub. L. 88-452, and has been reauthorized several times, most recently by the Human Services Reauthorization Act of 1984, Pub. L. 98-558. The Act is codified at 42 U.S.C. 9831 et. seq. The Head Start regulations are published at 45 CFR Parts 1301-1305.

Section 648 of the Head Start Act authorizes the Secretary of Health and Human Services to provide directly or through grants or other arrangements: (1) Technical assistance to communities in developing, conducting, and administering Head Start programs, and (2) training for specialized or other personnel needed in connection with Head Start programs.

Technical assistance is a problem solving event generally utilizing the services of an expert. Such services may be provided on-site, by telephone or through other communications. These services address a specific problem or set of problems and are intended to assist the consumer with immediate resolution or an approach to resolving a given problem or set of problems.

Training is an educational activity or event which is designed to impart knowledge and understanding or to increase the development of skills. Such training activities may be in the form of assembled events such as workshops, seminars, or programs of self-instructional activities. Some training is designed for newly hired employees with a focus on base level knowledge and capability. Other training activities are more advanced and geared to the on-going instructional and information needs of more experienced staff.

Section 640 (a)(2)(C) of the Head Start Act, as amended by Pub. L. 98-558, the Human Services Reauthorization Act of 1984, 4 U.S. 9835, instructs the Secretary to fund training and technical assistance services at $25 million. Of the total amount ($25,000,000) expected to be available for Head Start T/TA in fiscal year 1987, ACYF plans to award approximately $16,200,000 directly to Head Start grantees. Those funds will be awarded through the ten HHS/HDS Regional Offices and the American Indian and Migrant Programs Branches as part of the regular application process for Head Start grants.

In addition, under this program announcement, approximately $3,300,000 is expected to be available for ten Resource Center cooperative agreement awards. It is intended that local Head Start programs, including Parent Child Centers, in all regions and the American Indian and Migrant Head Start grantees will be served through these cooperative agreements.

B. Programs Goals and Objectives

It is expected that T/TA services arranged or provided by the Resource Centers will ultimately result in improved performance and service delivery of local Head Start programs through:

1. Increased knowledge and skills necessary for competent performance of staff of local Head Start programs in disciplines of the component areas to which they are assigned;
2. Increased direct participation of parents in the planning, conduct and administration of their Head Start programs;
3. Improved capacity of local programs to design and conduct their own training activities;
4. Increased utilization of a cadre of knowledgable personnel employed in Head Start programs who have appropriate skills to provide training and technical assistance services to their own or other Head Start programs;
5. Identification, availability and increased utilization of resource materials which enhance the quality of services provided to Head Start children and their families.

C. Eligible Applicants

Public or private non-profit and "for profit" organizations, including organizations formed especially for this purpose (such as a consortium of Head Start associations or post secondary institutions), may apply for financial assistance under this announcement.

With regard to "for-profit" applicants, the Department's grants administration regulations at 45 CFR 74.705 stipulate that ". . . no grant funds may be paid as profit to any recipient of a grant or subgrant, even if the recipient is a for-profit organization." The regulations further state that "Profit is any amount in excess of allowable direct and indirect costs of the recipient."

Applications for Resource Center cooperative agreements must be from organizations which are located within the geographical areas to be served by the cooperative agreement.

D. Available Funds

The Administration for Children, Youth and Families expects to award approximately $3,300,000 in FY 1987 for Head Start Resource Center cooperative agreements to support one year of operation. Generally, the project period for these cooperative agreements will be for three years. Those Resource Centers that are continued beyond the first year will be refunded as non-competing continuations. Refunding decisions for each of the subsequent two years will be made on a case-by-case basis, in consideration of the needs of local Head Start grantees, availability of funds, satisfactory performance of the project for which the award was made and the best interests of the Government.

Appendix I is a table which identifies the amount of funds available in FY 1987 for the ten Resource Centers. The different amounts reflect the variances in the number of local Head Start grantees and employees among the regions and American Indian and Migrant Programs Branches.

E. Recipient Share of the Project

Recipients are not required to provide a non-Federal share or in-kind contributions. However, in-kind contributions are encouraged.

F. General Instructions

Training and technical assistance are considered key factors in implementing and maintaining Head Start program quality and performance.

Training and/or technical assistance may be given to personnel of any Head Start program for the purpose of obtaining conformity with Head Start regulations and policies or for other program improvement purposes depending on needs at the local level and national priorities. The determination that particular areas of the program require improvement is made by comparing actual program operation with Federal regulations and policies that govern the Head Start program. The results of the compliance reviews are often helpful in making this determination.

Resource Center applicants should assess needs and reflect in their applications the needs of local Head Start programs within the designated geographic areas as a basis for planned training and/or technical assistance activities.

The T/TA efforts may include content related to all the Head Start program components listed below including administration. Regional Offices have in the past used, and still may use, some or all of the following means to identify T/TA needs: The Program and Administrative Self-Assessment/Validation Instrument (SAVI) or other reports on the results of self-assessments conducted by grantees; monitoring reports; audits; Program Information Reports (PIR); and Performance Indicators. In addition, T/TA may be provided for major national and regional/American Indian/Migrant ACYF program emphases and pertinent regional, multi-State and State Head Start Association emphases. Major subject areas for Resource Center Head Start training and technical assistance services are:

- Education;
- Parent Involvement;
- Social Services; and
- Management and Administration

(Management and Administration include systems for the management of needs assessments, program planning, program improvement, personnel administration, fiscal management, program funding, organizational structure and compliance with regulations and Head Start policies.)

The Resource Centers should employ qualified and experienced individuals who are able to coordinate T/TA services related to: (a) The education component and CDA program; (b) the social services and parent involvement components, and (c) Head Start program management and administration. Based on past experience with other T/TA providers, ACYF would prefer that staff functions be grouped in these three areas and that each area be under the direction of a full-time (or nearly full-time) resource center employee, as opposed to other groupings of functions or the use of part-time staff and consultants.

The Resource Centers should take full advantage of the resources and expertise available from other ACYR T/TA grants and contracts, and should coordinate as necessary with those contractors or grantees.

Specifically, the Resource Center grantees should coordinate with the Resource Access Projects for handicapped services; the National Child Development Associate (CDA) assessment and credentialing grantee; and the Public Health Service and Indian Health Service for medical, dental, mental health and nutritional T/TA services.

Part II. Specific Responsibilities

A. Responsibilities of Head Start Bureau

The Head Start Bureau/ACYF continues to place major emphasis on improvement of services to Head Start children and their families. Several national and regional targets are being set which are intended to improve the quality of Head Start programs and to make Head Start services available to the largest number of children possible utilizing current resources. The Head Start Bureau (HSB) expects to identify and undertake appropriate initiatives that support attainment of the targets and enhance local grantees' capabiltiies for compliance with the Performance Standards.

We expect that such initiatives will include:

1. Policy development and revisions;
2. Development and program guides;
3. Identification of existing materials, technologies and information that will strengthen the skills and knowledge of local Head Start employees;
4. Development of strategies for involvement of other public, private and governmental agencies in the direct delivery of Head Start services to children and their families as well as in the provision of training and technical assistance to local grantees' staffs; and
5. Special projects designed to strengthen or expand component services.

Accomplishment of these initiatives requires a collaborative relationship between the HSB and Resource Centers. Federal involvement by HSB/ACYF central and regional offices will include substantial roles for the Government Project Officer and responsible Regional Office Head Start officials in the following areas:

1. Setting of priorities for T/TA services to be provided by the Resource Centers.
2. Briefing Resource Center staff on the details, priorities, targets and T/TA implications of Head Start initiatives and major program objectives.
3. As necessary, reviewing and approval of major activities to be performed by the Resource Centers, including the development of materials and publications.
4. Identifying grantees that require special T/TA services from the Resource Centers.
5. Making arrangements for semi-annual joint meetings of HSB and Resource Center staff, including determining meeting dates, location and preparation of meeting agenda.
6. Preparing and providing the Resource Centers with a list of proposed State-wide and/or region-wide Head Start training workshops. In collaboration with the Resource Centers, determining what workshops will be conducted.

7. Reviewing and approving Resource Centers' plans and materials for State-wide and region-wide workshops.

B. Responsibilities of the Resource Centers

Most local Head Start grantees are directly funded to acquire much of their own T/TA services. However, the Resource Centers are expected to assume a key role in assuring that information relative to HSB goals and initiatives are expeditiously, accurately and uniformly transmitted to all local grantees through assembled training events and/or other means.

In accordance with the program goals and initiatives set forth in this announcement, the Resource Center must perform the following tasks and services;

1. Organizing and Maintaining a Resource Pool

a. Identify and maintain a pool of individuals who reside in the geographic area served by the Resource Center and who are available to provide T/TA services to local grantees.

(1) Individuals selected should have a firm knowledge of Head Start policies and procedures with special expertise in one or more of the Head Start component areas (including administration), home-based services, bilingual multicultural services and other program options or special emphasis areas.

(2) Every effort should be made to assure that the pool of individuals includes Head Start employees and parents who may provide T/TA relative to their experiences and who may serve as members of peer review teams.

b. Develop a network of home-based supervisors, home visitors and other Head Start personnel with the capability to provide T/TA related to the home-based option.

2. Providing Technical Assistance for Local Level T/TA

Planning and Management of T/TA Activities.

Assist local grantees in planning for T/TA events, including technical assistance in:

a. Assessing, analyzing and prioritizing T/TA needs,

b. Organizing workshops and seminars,

c. Designing training agendas,

d. Identifying and obtaining curriculum materials and other information needed, and

e. Matching identified T/TA needs with resource persons who have the expertise to respond to the specified needs.

3. Assisting Local Grantees that have Special T/TA Needs

As determined by the ACYF regional offices, provide direct on-site T/TA services to local grantees that have special T/TA needs.

4. Assisting in the Planning and Implementation of Major T/TA Events

Assist in the planning and conduct of State-wide and region-wide training events. Determination for the need and planning of such events will be done in collaboration with the national and regional ACYF offices. Program content of the events should address common and on-going T/TA needs of local grantees as well as regional and national goals and initiatives.

5. Assisting in the Utilization of Automated Data Processing (ADP) Systems at the Local Grantee Level

In collaboration with ACYF regional and national offices, design and provide T/TA services to assist local grantees in the installation and/or utilization of ADP systems best suited for their respective management needs.

Many grantees already have computer hardware and access to a variety of software. Other grantees are planning to purchase hardware and software systems for the first time. It is expected that assistance needed by grantees will include guidance in selecting hardware and software systems, training of staff in the use of the systems and organizing and maintaining user groups.

6. Providing T/TA Support for the Child Development Associate (CDA) Effort

a. Assist local grantees in negotiations with colleges and universities to arrange for the delivery of training that is relevant to CDA competency requirements, provides field supervision and offers valid college credits.

b. Design and arrange training which will provide CDA and Parent Community Representatives with the information and skills needed to perform their "Information Collection" responsibilities as members of CDA Local Assessment Teams.

c. Identify and address specific needs of individual CDA candidates in order to assure their timely completion of the assessment process and receipt of the national credential.

7. Utilizing Public and Private Agency Resources

Identify and assist local grantees in establishing linkages with public and private agencies that offer Head Start related resources at the local, State and regional levels.

8. Establishing and Maintaining Close Communications with all Head Start T/TA Network Entities

a. Develop and maintain close working relationships with the other Resource Centers and other Head Start funded T/TA grantees and contractors.

b. Participate in periodic teleconferences that include each of the other Resource Centers.

c. Participate in semi-annual joint meetings of Resource Centers and HSB staff. It is expected that these joint meetings will be held in the Washington, DC area and the first meeting will be convened within 60 days after the award of the Resource Center cooperative agreement.

d. Regulaly prepare and provide information for publication in the Head Start Resource Bulletins.

Part III. Criteria for Review and Evaluation of Financial Assistance Application

Competing applications for financial assistance will be reviewed and evaluated against the following criteria:

A. Objectives and Need for This Assistance

The extent to which the proposed project objectives demonstrate an understanding of the program objectives and priorities described by the program announcement; reflect an understanding of the need for this assistance; and are capable of achieving the program objectives and priorities—10 points.

B. Approach (Project Implementation Plan)

(1) With regard to tasks and services 1,2,3,4,5,7, and 8 described in Section B of the program announcement, the extent to which the applicant demonstrates an ability to apply the appropriate training methodology to different audiences for different purposes; knowledge of the use of various training and technical assistance techniques and their application to Head Start program staff and parents; and an ability to accomplish and provide the prescribed tasks and services—25 points.

(2) With regard to task 6 described in Section B of the program announcement, the extent to which the applicant shows capacity for assisting local programs in negotiating CDA training packages with local colleges and universities, and delivering other prescribed services—10 points.

C. Staffing and Management

(1) Adequacy of Resources: The extent to which the applicant has or will have

adequate facilities and resources and demonstrates organizational experience in the areas to be served with regard to the tasks of the proposed project—15 points.

(2) Competence of Staff: The extent to which the applicant's staff are shown to be qualified, experienced in, and familiar with the work to be performed and the programs to be served; and the extent to which professional personnel are available to the applicant at the anticipated time of award and during the period of the cooperative agreement—30 Points

D. Budget Appropriateness and Reasonableness

Extent to which the applicant demonstrates that the project's costs are reasonable in view of the anticipated results—10 points.

Part IV. The Application Process

A. Availability of Forms

Applications for a financial assistance award under the Head Start Training and Technical Assistance Program must be submitted on the standard 424 forms (Office of Management and Budget Control Number 0980–0016) provided for this purpose.

Application kits which include the forms and other information may be obtained by writing or calling: ACYF/Head Start Bureau/Program Operations Division, P.O. Box 1182, Washington, DC 20013, Attention: Robert Foster, Telephone (202) 755–8208.

B. Application Submission

At a minimum, one signed original and two copies of the applications are required. Applications, including all attachments, must be mailed or hand delivered to the Department of Human Services, Office of Human Development Services, Grants and Contracts Management Division, 200 Independence Avenue, SW., Room 341F, Hubert H. Humphrey Bldg., Washington, DC 20201, Attn: William J. McCarron.

C. Closing Date for Receipt of Application

The closing date for receipt of all applications under this Program Announcement is November 10, 1986.

1. *Mailed applications.* Applications mailed through the U.S. Postal Service shall be considered to meet the deadline if they are either:

a. Received on or before the deadline date at the above address; or

b. Sent by first class mail, postmarked on or before the deadline date, and received in time to be considered during the competitive review and evaluation process.

(Applicants are cautioned to request a legibly dated U.S. Postal Service postmark or to obtain a legibly dated receipt from a commercial carrier or the U.S. Postal Service. Private metered postmarks are not acceptable as proof of timely mailing.)

2. *Applications submitted by other means.* Applications submitted by any means except through the U.S. Postal Service shall be considered as meeting the deadline only if they are physically received before close of business on or before the deadline date. Hand delivered applications will be accepted at the HDS Grants and Contracts Management Office during the normal working hours of 8:30 a.m. to 5:00 P.M., Monday through Friday.

3. *Late applications.* Applications which do not meet these criteria are considered late applications and will not be considered in the current competition.

4. *Extension of deadline.* The Head Start Bureau may extend the deadline for all applicants because of acts of God such as floods, hurricanes, etc., or when there is widespread disruption of the mails. However, if the granting agency does not extend the deadline for all applicants, it may not waive or extend the deadline for any applicant.

D. Application Consideration

Applications which are complete and conform to the requirements of this program announcement are subject to a competitive review and evaluation against the specific criteria outlined in Part III by qualified individuals. The results of the competitive review will assist the Associate Commissioner of the Head Start Bureau in determining which applicants will be recommended for funding. The Commissioner of ACYF will approve the final selection.

After the Commissioner has reached a decision either to fund or not to fund competing applications, unsuccessful applicants will be notified in writing of this decision. Successful applicants will be notified through the issuance of a Notice of Financial Assistance Awarded, which sets forth the amount of funds awarded, the budget period for which support is given, and the total period for which project support is contemplated.

E. Paperwork Reduction Act of 1980

Under the Paperwork Reduction Act of 1980, Pub. L. 96–511, the Department is required to submit to the Office of Management and Budget (OMB) for review and approval any reporting and recordkeeping requirement inherent in a program announcement. This program announcement does not contain information collection requirements beyond those approved for HDS discretionary grant applications approved under OMB Control Number 0980–0016.

F. Notification Under Executive Order 12372

This program is covered under Executive Order (E.O.) 12372, "Intergovernmental Review of Federal Programs" and 45 CFR Part 100, "Intergovernmental Review of Department of Health and Human Services Programs and Activities." Under the Order, States may design their own processes for reviewing and commenting on proposed Federal assistance under covered programs.

All States and territories except Alaska, Idaho, Nebraska, American Samoa, and Palau have elected to participate in the Executive Order process and have established Single Points of Contact (SPOCs). Applicants from these areas need take no action regarding E.O. 12372. Applications for projects to be administered by Federally-recognized Indian Tribes are also exempt from the requirements of E.O. 12372. Otherwise, applicants should contact their SPOCs as soon as possible to alert them of the prospective applications and receive any necessary instructions. Applicants must submit any required material to the SPOCs as early as possible so that the program office can obtain and review SPOC comments as part of the award process. It is imperative that the applicant submit all required materials, if any, to the SPOC and indicate the date of this submittal (or date of contact if no submittal is required) on the SF 424, item 22a.

Under 45 CFR 100.8(a)(2), a SPOC has 60 days from the application deadline date to comment on proposed new or competing continuation awards.

Therefore, the comment period for State processes will end on January 9, 1987, to allow time for HDS to review, consider and attempt to accommodate SPOC input. SPOCs are encouraged to eliminate the submission of routine endorsements as official recommendations. Additionally, SPOCs are requested to clearly differentiate between mere advisory comments and those official State process recommendations which they intend to trigger the "accommodate or explain" rule.

When comments are submitted directly to HDS, they should be addressed to: Department of Health and Human Services, Office of Human Development Services, Grants and Contracts Management Division, 200 Independence Ave., SW., Room 341F, Hubert H. Humphrey Building, Washington, DC 20201, Attn: William J. McCarron.

A list of single points of contact for each State and territory is included at the end of this announcement.

(Catalog of Federal Domestic Assistance Number: 13.600 Head Start Program)

Dated: August 8, 1986.

Dodie Livingston,

Commissioner, Administration for Children, Youth and Families.

Approved: August 18, 1986.

Jean K. Elder,

Acting Assistant Secretary for Human Development Services.

APPENDIX I.—HEAD START RESOURCE CENTERS

Resource centers	Region	States	Approximate maximum amount of fiscal year 1987 grant (dollars)
Area No. 1	I. Boston	Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont	$251,000
Area No. 2	II. New York	New Jersey, New York Puerto Rico, Virgin Islands	325,000
Area No. 3	III. Philadelphia	Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia	315,000
Area No. 4	IV. Atlanta	Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee	487,000
Area No. 5	V. Chicago	Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin	440,000
Area No. 6	VI. Dallas	Arkansas, Lousiana, New Mexico, Oklahoma, Texas	352,000
Area No. 7	VII. Kansas City	Iowa, Kansas, Missouri, Nebraska	300,000
	VIII. Denver	Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming	
Area No. 8	IX. San Francisco	Arizona, California, Hawaii, Nevada, Outer Pacific	348,000
	X. Seattle	Alaska, Idaho, Oregon, Washington	
Area No. 9	American Indian Programs.	Washington D.C: Alaska, Arizona, California, Colorado, Florida, Idaho, Kansas, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Mexico, New York, North Carolina, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, Wisconsin, Wyoming.	262,000
Area No. 10	Migrant Programs	Washington DC: Alabama, Arizona, Arkansas, California, Colorado, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Maryland, Michigan, Minnesota, New Jersey, New Mexico New York, North Carolina, Ohio, Oregon, Pennsylvania, South Carolina Tennessee, Texas, Utah, Virginia, Washington, Wisconsin.	220,000

Appendix II

Executive Order 12372—State Single Points of Contact

Alabama

Mrs. Donna J. Snowden, SPOC, Alabama State Clearinghouse, Alabama Department of Economic and Community Affairs, 3465 Norman Bridge Road, Post Office Box 2939, Montgomery, Alabama 36105-0939, Tel. (205) 284-8905

Alaska

None

Arizona

Department of Commerce, State of Arizona

Note.—Correspondence & questions concerning this State's E.O. 12372 process should be directed to:

Janice Dunn, ATTN: Arizona State Clearinghouse, 1700 West Washington, Fourth Floor, Phoenix, Arizona 85007, Tel. (602) 255-5004

Arkansas

State Clearinghouse, Office of Intergovernmental Services, Department of Finance and Administration, P.O. Box 3278, Little Rock, Arkansas 72203, Tel. (501) 371-1074

California

Office of Planning and Research, 1400 Tenth Street, Sacramento, California 95814, Tel. (916) 323-7480

Colorado

State Clearinghouse, Division of Local Government, 1313 Sherman Street, Rm. 520, Denver, Colorado 80203, Tel. (303) 866-2156

Connecticut

Gary E. King, Under Secretary, Comprehensive Planning Division, Office of Policy and Management, Hartford, Connecticut 06106-4459

Note.—Correspondence & questions concerning this State's E.O. 12372 process should be directed to:

Intergovernmental Review Coordinator, Comprehensive Planning Division, Office of Policy and Management, 80 Washington Street, Hartford, Connecticut 06106-4459, Tel. (203) 566-3410

Delaware

Executive Department, Thomas Collins Building, Dover, Delaware 19903, Attn: Francine Booth, Tel. (302) 736-4204

Florida

Ron Fahs, Executive Office of the Governor, Office of Planning and Budgeting, The Capitol, Tallahassee, Florida 32301, Tel. (904) 488-8114

Georgia

Charles H. Badger, Administrator, Georgia State Clearinghouse, 270 Washington Street, S.W., Atlanta, Georgia 30334, Tel. (404) 656-3855

Hawaii

Kent M. Keith, Director, Department of Planning and Economic Development, P.O. Box 2359, Honolulu, Hawaii 96804, For Information Contact: Hawaii State Clearinghouse, Tel. (808) 548-3016 or 548-3085

Idaho

None

Illinois

Tom Berkshire, Office of the Governor, State of Illinois, Springfield, Illinois 62706, Tel. (217) 782-8639

Indiana

Mr. Alexander J. Ingram, Deputy Director, State Budget Agency, 212 State House, Indianapolis, Indiana 46204, Tel. (317) 232-5604

Iowa

Office for Planning and Programming, Capitol Annex, 523 East 12th Street, Des Moines, Iowa 50319, Tel. (515) 281-3864

Kansas

Ms. Judy Krueger, Intergovernmental Liaison, 122 A South, State Office Building, Topeka, Kansas 66612, Tel. (913) 296-3919

Kentucky

Kentucky State Clearinghouse, 2nd Floor, Capital Plaza Tower, Frankfort, Kentucky 40601, Tel. (502) 564-2382

Louisiana

Mr. Ferguson Brew, Assistant Secretary and SPOC, Dept. of Urban & Community Affairs, Office of State Clearinghouse, P.O. Box 94455, Capitol Station, Baton Rouge, Louisiana 70804, Tel. (504) 925-3725

Maine

State Planning Office, Attn: Intergovernmental Review Process/Hal Kimbal, State House Station #38, Augusta, Maine 04333, Tel. (207) 289-3154

Maryland

Guy W. Hager, Director, Maryland State Clearinghouse for Intergovernmental Assistance, Department of State Planning,

301 West Preston Street, Baltimore, Maryland 21201–2365, Tel. (301) 225–4490

Massachusetts

Executive Office of Communities and Development, Attn: Beverly Boyle, 100 Cambridge Street, Rm. 904, Boston, Massachusetts 02202, Tel. (617) 727–3253

Michigan

Michelyn, Pasteur, Director, Local Development Services, Department of Commerce, P.O. Box 30225, Lansing, Michigan 48909, Tel. (517) 373–3530

Minnesota

Maurice D. Chandler, Intergovernmental Review, Minnesota State Planning Agency, Room 101, Capitol Square Building, St. Paul, Minnesota 55101, Tel. (612) 296–2571

Mississippi

Office of Federal State Programs, Department of Planning and Policy, 2000 Walter Sillers Bldg., 500 High Street, Jackson, Mississippi 39202 For Information Contact: Mr. Marlan Baucum, Department of Planning and Policy, Tel. (601) 359–3150

Missouri

Lois Pohl, Coordinator, Missouri Federal Assistance Clearinghouse, Office of Administration, Division of General Services, P.O. Box 809, Room 760 Truman Building, Jefferson City, Missouri 65102, Tel. (314) 751–4834

Montana

Sue Heath, Intergovernmental Review Clearinghouse, c/o Office of the Lieutenant Governor, Capitol Station, Helena, Montana 59620, Tel. (406) 444–5522

Nebraska

None

Nevada

Ms. Jean Ford, Director, Nevada Office of Community Services, Capitol Complex, Carson City, Nevada 89710, Tel. (702) 885–4420

Note.—Correspondence & questions concerning this State's E.O. 12372 process should be directed to:

John Walker, Clearinghouse Coordinator, Tel. (702) 885–4420

New Hampshire

David G. Scott, Acting Director, New Hampshire Office of State Planning, 2½ Beacon Street, Concord, New Hampshire 03301, Tel. (603) 271–2155

New Jersey

Mr. Barry Skokowski, Director, Division of Local Government Services, Department of Community Affairs, CN 803, 363 West State Street, Trenton, New Jersey 08625–0803, Tel. (609) 292–6613

Note.—Correspondence & questions concerning this State's E.O. 12372 process should be directed to:

Nelson S. Silver, State Review Process, Division of Local Government Services—CN 803, Trenton, New Jersey 08625–0803, Tel. (609) 292–9025

New Mexico

Peter C. Pence, Director, Department of Finance and Administration, Management and Contracts Review Div., Clearinghouse Bureau, Room 424, State Capitol, Santa Fe, New Mexico 87503, Tel. (505) 827–3885

New York

Director of the Budget, New York State

Note.—Correspondence & questions concerning the State's E.O. 12372 process should be directed to:

New York State Clearinghouse, Division of the Budget, State Capitol, Albany, New York 12224, Tel. (518) 474–1605

North Carolina

Mrs. Chrys Baggett, Director, State Clearinghouse, Department of Administration, 116 West Jones Street, Raleigh, North Carolina 27611, Tel. (919) 733–4131

North Dakota

Office of Intergovernmental Assistance, Office of Management and Budget, 14th Floor, State Capitol, Bismarck, North Dakota 58505, Tel. (701) 224–2094

Ohio

State Clearinghouse, Office of Budget and Management, 30 East Broad Street, Columbus, Ohio 43215. For Information Contact: Mr. Leonard E. Roberts, Deputy Director, Tel. (614) 466–0699

Oklahoma

Don Strain, Office of Federal Assistance Management, 4545 North Lincoln Blvd., Oklahoma City, Oklahoma 73105, Tel. (405) 528–8200

Oregon

Intergovernmental Relations Division, State Clearinghouse, Attn: Delores Streeter, Executive Building, 155 Cottage Street, N.E., Salem, Oregon 97310, Tel. (503) 373–1998

Pennsylvania

Barbara J. Gontz, Project Coordinator, Pennsylvania Intergovernmental Council, P.O. Box 11880, Harrisburg, Pennsylvania 17108, Tel. (717) 783–3700

Rhode Island

Daniel W. Varin, Chief, Rhode Island Statewide Planning Program, 265 Melrose Street, Providence, Rhode Island 02907, Tel. (401) 277–2656

Note.—Questions & correspondence concerning this State's review process should be directed to:

Mr. Michael T. Marfeo, Review Coordinator

South Carolina

Danny L. Cromer, Grant Services, Office of the Governor, 1205 Pendleton Street, Rm. 477, Columbia, South Carolina 29201, Tel. (803) 758–2417

South Dakota

Connie Tveidt, State Clearinghouse Coordinator, State Government Operations, Second Floor, Capitol Building, Pierre, South Dakota 57501, Tel. (605) 773–3661

Tennessee

Tennessee State Planning Office, 1800 James K. Polk Building, 505 Deaderick Street, Nashville, Tennessee 37219, Tel. (615) 741–1676

Texas

Bob McPherson, State Planning Director, Office of the Governor, P.O. Box 13561, Capitol Station, Austin, Texas 78711

Note.—Questions concerning this State's review process should be directed to:

Intergovernmental Relations Division, Tel. (512) 463–1778

Utah

Dale Hatch, Director, Office of Planning and Budget, State of Utah, 116 State Capitol Building, Salt Lake City, Utah 84114, Tel. (801) 533–5245

Vermont

State Planning Office, Attn: Bernie Johnson, Pavilion Office Building, 109 State Street, Montpelier, Vermont 05602, Tel. (802) 828–3326

Virginia

Shawn McNamara, Department of Housing and Community Development, 205 North 4th Street, Richmond, Virginia 23219, Tel. (804) 786–4474

Washington

Washington Department of Community Development, Attn: Washington Intergovernmental Review process, Ninth and Columbia Building, Olympia, Washington 98504–4151, Tel. (206) 586–1240

West Virginia

Mr. Fred Cutlip, Director, Community Development Division, Governor's Office of Community and Industrial Development, Building #6, Rm. 553, Charleston, West Virginia 25305, Tel. (304) 348–4010

Wisconsin

Secretary Doris J. Hanson, Wisconsin Department of Administration, 101 South Webster—GEF 2, P.O. Box 7864, Madison, Wisconsin 53707–7864, Tel. (608) 266–1741

Note.—Correspondence and questions concerning this State's E.O. 12372 process should be directed to:

Thomas Krauskopf, Federal-State Relations Coordinator, Wisconsin Department of Administration, P.O. Box 7864, Madison, Wisconsin 53707–7864, Tel. (608) 266–8349

Wyoming

Wyoming State Clearinghouse, State Planning Coordinator's Office, Capitol Building, Cheyenne, Wyoming 82002, Tel. (307) 777–7574

Virgin Islands

Toya Andrew, Federal Program Coordinator, Office of the Governor, The Virgin Islands of the United States, Charlotte Amalie, St. Thomas 00801, Tel. (809) 774–6517

District of Columbia

Lovetta Davis, D.C. State Single Point of Contact for E.O. 12372, Executive Office of

the Mayor, Office of Intergovernmental Relations, Rm. 416, District Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004, Tel. (202) 727–6265

Puerto Rico

Ms. Patricia G. Custodio, P.E., Chairman, Puerto Rico Planning Board, Minillas Government Center, P.O. Box 41119, San Juan, Puerto Rico 00940–9985, Tel. (809) 727–4444

Northern Mariana Islands

Planning and Budget Office, Office of the Governor, Saipan, CM 96950

American Samoa

None

Guam

Guam State Clearinghouse, Office of the Lieutenant Governor, P.O. Box 2950, Agana, Guam 96910

[FR Doc. 86–20456 Filed 9–10–86; 8:45 am]

BILLING CODE 4130-01-M

Federal Register

Thursday
September 11, 1986

Part III

Department of Transportation

Federal Aviation Administration

14 CFR Part 71

Proposed Establishment of Airport Radar Service Area; Proposed Rulemaking

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 86-AWA-36]

Proposed Establishment of Airport Radar Service Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to establish an Airport Radar Service Area (ARSA) at William P. Hobby Airport, Houston, TX. This location is a public airport with an operating control tower served by a Level V Radar Approach Control. Establishment of this ARSA would require that pilots maintain two-way radio communication with air traffic control (ATC) while in the ARSA. Implementation of ARSA procedures at this location will promote the efficient control of air traffic and reduce the risk of midair collision in terminal areas.

DATES: Comments must be received on or before December 15, 1986. An informal airspace meeting is scheduled for November 14, 1986.

ADDRESSES: Send comments on the proposal in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket [AGC-204], Airspace Docket No. 86-AWA-36, 800 Independence Avenue, SW., Washington, DC 20591.

The informal airspace meeting place is as follows:

Time: 7:00 p.m.

Location: William P. Hobby Airport, Flight Standards District Office Conference Room, 8800 Paul Koonce Drive, Houston, TX 77061

The official docket may be examined in the Rules Docket, weekdays, except Federal holidays, between 8:30 a.m. and 5:00 p.m. The FAA Rules Docket is located in the Office of the Chief Counsel, Room 916, 800 Independence Avenue, SW., Washington, DC.

An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: Robert G. Burns, Airspace and Air Traffic Rules Branch (ATO-230), Airspace-Rules and Aeronautical Information Division, Air Traffic Operations Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-9253.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposal. Communications should identify the airspace docket and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 86-AWA-36." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA-430, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-3484. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2 which describes the application procedure.

Meeting Procedures

In addition to seeking written comments on this proposal, the FAA will hold an informal airspace meeting for the proposed ARSA location in order to receive additional input with respect to the proposal. The schedule of the time and place of the meeting is listed above. Persons who plan to attend the meeting should be aware of the following procedures to be followed:

(a) The meeting will be informal in nature and will be conducted by the designated representative of the Administrator. Each participant will be given an opportunity to make a presentation.

(b) The date, time, and place for this meeting are listed above. There will be no admission fee or other charge to attend and participate. The meeting will be open to all persons on a space-available basis. The FAA representative may accelerate the agenda to enable early adjournment if the progress of the meeting is more expeditious than planned.

(c) The meeting will not be recorded. A summary of the comments made at this meeting will be filed in the docket.

(d) Position papers or other handout material relating to the substance of the meeting may be accepted at the discretion of the FAA representative. Participants submitting handout materials should present an original and two copies to the presiding officer for approval before distribution. If approved by the presiding officer, there should be an adequate number of copies provided for further distribution to all participants.

(e) Statements made by FAA participants at the meeting should not be taken as expressing a final FAA position.

Agenda

Presentation of Meeting Procedures
FAA Presentation of Proposal
Public Presentations and Discussion

Background

On April 22, 1982, the National Airspace Review (NAR) plan was published in the **Federal Register** (47 FR 17448). The plan encompassed a review of airspace use and procedural aspects of the ATC system. Among the main objectives of the NAR were the improvement of the ATC system by increasing efficiency and reducing complexity. In its review of terminal airspace, NAR Task Group 1-2 concluded that Terminal Radar Service Areas (TRSA) should be replaced. Four types of airspace configurations were considered as replacement candidates, of which Model B, since redesignated ARSA, was the consensus recommendation.

In response, the FAA published NAR Recommendation 1-2.2.1, "Replace Terminal Radar Service Areas with Model B Airspace and Service" in Notice 83-9 (July 28, 1983; 48 FR 34286) proposing the establishment of ARSA's at the Robert Mueller Municipal Airport, Austin, TX, and the Port of Columbus International Airport, Columbus, OH. ARSA's were designated at these

airports on a temporary basis by SFAR No. 45 (October 28, 1983; 48 FR 50038) in order to provide an operational confirmation of the ARSA concept for potential application on a national basis.

Following a confirmation period of more than a year, the FAA adopted the NAR recommendation and, on February 27, 1985, issued a final rule (Amendment No. 71–10, 50 FR 9252; March 6, 1985) defining an ARSA and establishing air traffic rules for operation within such an area. Concurrently, by separate rulemaking action, ARSA's were permanently established at the Austin, TX, and Columbus, OH, airports and also at the Baltimore/Washington International Airport, Baltimore, MD, (50 FR 9250; March 6, 1985). The FAA has stated that future notices would propose ARSA's for other airports at which TRSA procedures were in effect.

Additionally, the NAR Task Group recommended that the FAA develop quantitative criteria for proposing to establish ARSA's at locations other than those which are included in the TRSA replacement program. The task group recommended that this criteria consider—among other things—traffic mix, flow and density, airport configuration, geographical features, collision risk assessment, and ATC capabilities to provide service to users. Accordingly, criteria were developed and have been adopted in FAA Order 7400.2C, Notice 7400.20.

Adoption of the alternate criteria will allow an airport without a TRSA to become a candidate for establishment of an ARSA, providing one or more of the numerical criteria categories are met. The traffic count and passenger enplanements at William P. Hobby Airport not only meet all of the quantitative criteria for an ARSA but in fact qualify the airport for candidacy for a Terminal Control Area (TCA). In keeping with FAA policy of regulating with the least impact on the public, the FAA, at this time, does not intend to propose a TCA for William P. Hobby Airport. However, the FAA may propose other regulatory airspace actions for this airport if future conditions justify such action. The FAA now proposes to establish an ARSA at William P. Hobby Airport under the guidelines of established criteria.

Related Rulemaking

This notice proposes ARSA designation at a location not identified as a candidate for an ARSA in the preamble to Amendment No. 71–10 (50 FR 9252). This candidate airport meets the criteria for ARSA candidacy as adopted in FAA directives. Other candidate locations, whether identified as a candidate location in the preamble to Amendment No. 71–10 or proposed as a candidate by virtue of meeting the adopted criteria, will be proposed in future notices published in the **Federal Register.**

The Current Situation at the Proposed ARSA Location

William P. Hobby Airport is a public airport with an operating control tower served by a Level V and a Level III Radar Approach Control. The airport operations at this airport are quite varied as to the mix of aircraft. Speeds range from the extremely slow to the maximum speed allowed under regulations with maneuverability varying from the extremely maneuverable to the slower maneuvering aircraft. Although most aircraft landing at William P. Hobby Airport are sequenced with the aid of radar, airspace and operating rules are not established by regulation. Participation by pilots operating under visual flight rules (VFR) is voluntary, although pilots are urged to participate. This level of service is known as Stage II and is provided at some locations not identified at TRSA's. The NAR Task Group recommended and the FAA adopted the establishment of numerical criteria to allow airports such as William P. Hobby with safety, traffic and other needs to become candidates for ARSA's regardless of the presence of a TRSA.

William P. Hobby Airport is rapidly becoming more heavily used by numerous air carriers and air taxis. The number of passengers boarded annually far surpasses that adopted as being necessary for ARSA candidacy.

The NAR Task Group stated that, because there are different levels of service offered in terminal areas such as William P. Hobby Airport, users are not always sure of what restrictions or privileges exist, or how to cope with them. Stage II services offered at William P. Hobby Airport include traffic advisories and sequencing to the runway but do not include conflict resolution in the terminal airspace. Participation in this program is strictly voluntary. The only service available outside the airport traffic area is separation for instrument flight rule (IFR) traffic and VFR traffic advisories as an additional service. Some believe that the voluntary nature of Stage II at airports with moderate activity levels does not adequately address the problems associated with nonparticipating aircraft operating in relative proximity to the airport and associated approach and departure courses. There is strong advocacy among user organizations that terminal radar facilities should provide all pilots the same service in the same way, to the extent feasible, within standard size airspace designations.

Certain provisions of FAR section 91.87 add to the problem identified by the task group. For example, aircraft operating under VFR to or from a satellite airport and within the airport traffic area (ATA) of the primary airport are excluded from the two-way radio communications requirement of section 91.87. This condition is acceptable until the volume and density of traffic at the primary airport dictates further action.

The Proposal

The FAA is considering an amendment to § 71.501 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to establish an ARSA at William P. Hobby Airport, Houston, TX. This location is a public airport with an operating control tower served by a Level V Radar Approach Control facility and a Level III terminal radar approach control in a tower cab (TRACAB). The legal description of this proposed ARSA is depicted on a chart in Appendix 1 to this notice.

The FAA has published a final rule (50 FR 9252; March 6, 1985) which defines ARSA and prescribes operating rules for aircraft, ultralight vehicles, and parachute jump operations in airspace designated as an ARSA.

The final rule provides in part that any aircraft arriving at any airport in an ARSA or flying through an ARSA, prior to entering the ARSA must: (1) Establish two-way radio communications with the ATC facility having jurisdiction over the area, and (2) while in the ARSA, maintain two-way radio communications with that ATC facility. For aircraft departing from the primary airport within the ARSA, two-way radio communications must be maintained with the ATC facility having jurisdiction over the area. For aircraft departing a satellite airport within the ARSA, two-way radio communications must be established as soon as practicable after takeoff with the ATC facility having jurisdiction over the area, and thereafter maintained while operating within the ARSA.

All aircraft operating within an ARSA are required to comply with all ATC clearances and instructions and any FAA arrival or departure traffic pattern for the airport of intended operation. However, the rule permits ATC to authorize appropriate deviations to any of the operating requirements of the rule when safety considerations justify the

deviation or more efficient utilization of the airspace can be attained. Ultralight vehicle operations and parachute jumps in an ARSA may only be conducted under the terms of an ATC authorization.

The FAA adopted the NAR Task Group recommendation that each ARSA be of the same airspace configuration insofar as practicable. The standard ARSA consists of airspace within 5 nautical miles of the primary airport extending from the surface to an altitude of 4,000 feet above that airport's elevation, and that airspace between 5 and 10 nautical miles from the primary airport from 1,200 feet above the surface to an altitude of 4,000 feet above that airport's elevation. Proposed deviation from the standard has been necessary at some airports due to adjacent regulatory airspace, international boundaries, topography, or unusual operational requirements.

Definitions, operating requirements, and specific airspace designations applicable to ARSA may be found in 14 CFR Part 71, §§ 71.14 and 71.501, and Part 91, §§ 91.1 and 91.88.

For the reasons discussed under "Regulatory Evaluation," the FAA has determined that this proposed regulation (1) is not a "major rule" under Executive Order 12291; and (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979).

Regulatory Evaluation

The FAA conducted a Regulatory Evaluation of the proposed establishment of an ARSA at William P. Hobby Airport. The major findings of that evaluation are summarized below, and the full evaluation is available in the regulatory docket.

a. Costs

Costs which potentially could result from the ARSA program fall into the following categories:

(1) Air traffic controller staffing, controller training, and facility equipment costs incurred by the FAA.

(2) Costs associated with the revision of charts, notification of the public, and pilot education.

(3) Additional operating costs for circumnavigating or flying over the ARSA.

(4) Potential delay costs resulting from operations within an ARSA.

(5) The need for some operators to purchase radio transceivers.

(6) Miscellaneous costs.

It has been the FAA's experience, however, that these potential costs do not materialize to any appreciable degree, and when they do occur, they are transitional, relatively low in magnitude, or attributable to specific implementation problems that have been experienced at a very small minority of ARSA sites. The reasons for these conclusions are presented below.

FAA expects that the ARSA program can be implemented without requiring additional controller personnel above current authorized staffing levels because participation in Stage II at William P. Hobby Airport is already quite high, and the separation standards permitted in ARSA's will allow controllers to absorb the slight increase in participating traffic by handling all traffic very efficiently. Further, because controller training will be conducted during normal working hours, and William P. Hobby Airport already operates the necessary radar equipment, FAA does not expect to incur any appreciable implementation costs. Essentially, the FAA is modifying its terminal radar procedures in the ARSA program in a manner that will make more efficient use of existing resources.

No additional costs are expected to be incurred because of the need to revise sectional charts to incorporate the new ARSA airspace boundaries. Changes of this nature are routinely made during charting cycles, and the planned effective dates for newly established ARSA's are scheduled to coincide with the regular 6-month chart publication intervals.

Much of the need to notify the public and educate pilots about ARSA operations will be met as a part of this rulemaking proceeding. The informal public meeting being held at each location where an ARSA is being proposed provides pilots with the best opportunity to learn both how an ARSA works and how it will affect their local operations. Because the expenses associated with these public meetings will be incurred regardless of whether or not an ARSA is ultimately established at a proposed site, they are more appropriately considered sunken costs attributable to the rulemaking process rather than costs of the ARSA program. Once the decision has been made to establish an ARSA through a final rule issued in this proceeding, however, any public information costs which follow are strictly attributable to the ARSA program. The FAA expects to distribute a Letter to Airmen to all pilots residing within 50 miles of ARSA sites explaining the operation and configuration of the ARSA finally adopted. The FAA has also issued an Advisory Circular on ARSA's. The combined Letter to Airmen and prorated Advisory Circular costs for the airport at which an ARSA is being proposed by this notice is estimated to be about $450. This cost will be incurred only once upon the initial establishment of this ARSA.

Information on ARSA's following implementation of the program will also be disseminated at aviation safety seminars conducted throughout the country by various district offices. These seminars are regularly provided by the FAA to discuss a variety of aviation safety issues, and therefore will not involve additional costs strictly as a result of the ARSA program. Additionally, no significant costs are expected to be incurred as a result of the follow-on user meetings that will be held at each site following implementation of the ARSA to allow users to provide feedback to the FAA on local ARSA operations. These meetings are being held at public or other facilities which are being provided free of charge or at nominal cost. Further, because these meetings are being conducted by local FAA facility personnel, no travel, per diem, or overtime costs will be incurred by regional or headquarters personnel.

FAA anticipates that some pilots who currently transit the terminal area without establishing radio communications or participating in radar services may choose to circumnavigate the mandatory participation airspace of an ARSA rather than participate. Some minor delay costs will be incurred by these pilots because of the additional aircraft variable operating cost and lost crew and pasenger time resulting from the deviation. Other pilots may elect to overfly the ARSA, or transit below the 1,200 feet above ground level (AGL) floor between the 5- and 10-nautical-mile rings. Although this will not result in any appreciable delay, a small additional fuel burn will result from the climb portion of the altitude adjustment (which will be offset somewhat by the descent).

FAA recognizes that the potential exists for delay to develop at some locations following establishment of an ARSA. The additional traffic that the radar facilities will be handling as a result of the mandatory participation requirement may, in some instances, result in minor delays to aircraft operations. FAA does not expect such delay to be appreciable. FAA expects that the flexibility afforded controllers in handling traffic as a result of the separation standards allowed in an ARSA will keep delay problems to a minimum. Those that do occur will be transitional in nature, diminishing as facilities gain operating experience with ARSA's and learn how to tailor

procedures and allocate resources to take fullest advantage of the efficiencies that an ARSA will permit. This has been the experience at the three locations where ARSA's have been in effect for the longest period of time, and is the trend at most of the locations that have been more recently designated.

The FAA does not expect that any operators will find it necessary to install radio transceivers as a result of establishing the ARSA proposed in this notice. Aircraft operating to and from primary airports already are required to have two-way radio communications capability because of existing airport traffic areas and therefore will not incur any additional costs as a result of the proposed ARSA's. Further, the FAA has made an effort to minimize these potential costs throughout the ARSA program by providing airspace exclusions, or cutouts, for satellite airports located within 5 nautical miles of the ARSA center where the ARSA would otherwise have extended down to the surface. Procedural agreements between the local ATC facility and the affected airports have also been used to avoid radio installation costs. Most non-radio equipped (NORDO) aircraft in the vicinity of William P. Hobby Airport are located outside of the 5-nautical-mile ring and therefore will not be affected by the mandatory participation requirements. For those NORDO aircarft based at Genoa Airport, which is within the 5-nautical-mile ring, the FAA plans to establish local procedures that will accommodate them.

At some proposed ARSA locations, special situations might exist where establishment of an ARSA could impose certain costs on users of that airspace. However, exclusions, cutouts, and special procedures have been used extensively throughout the ARSA program to alleviate adverse impacts on local fixed base and airport operators. Similarly, the FAA has eliminated potential adverse impacts on existing flight traIning practice areas, as well as soaring, ballooning, parachuting, ultralight and banner towing activities, by developing special procedures to accommodate these activities through local agreements between ATC facilities and the affected organizations. For these reasons, the FAA does not expect that any such adverse impacts will occur at the candidate ARSA site proposed in this notice.

b. Benefits

Much of the benefit that will result from ARSA's is nonquantifiable, and is attributable to simplification and standardization of ARSA configurations and procedures. Further, once experience is gained in ARSA operations, the flexibility allowed air traffic controllers in handling traffic within an ARSA will enable them to move traffic as efficiently as at present but with increased safety.

Some of the benefits of the ARSA cannot be specifically attributed to individual candidate airports, but rather will result from the overall improvements in terminal area ATC procedures realized as ARSA's are implemented throughout the country. ARSA's have the potential of reducing both near and actual midair collisions at the airports where they are established. Based upon the experience at the Austin and Columbus ARSA confirmation sites, FAA estimates that near midair collisions may be reduced by approximately 35 to 40 percent. Further, FAA estimates that implementation of the ARSA program nationally may prevent approximately one midair collision every 1 to 2 years throughout the United States. The quantifiable benefits of preventing a midair collision can range from less than $100,000, resulting from the prevention of a minor nonfatal accident between general aviation aircraft, to $300 million or more, resulting from the prevention of a midair collison involving a large air carrier aircraft and numerous fatalities. Establishment of an ARSA at the site proposed in this notice will contribute to these improvements in safety.

c. Comparison of Costs and Benefits

A direct comparison of the costs and benefits of this proposal is difficult for a number of reasons. Many of the benefits of the rule are nonquantifiable, and it is difficult to specifically attribute the standardization benefits, as well as the safety benefits, to individual candidate ARSA sites.

FAA expects that any adjustment problems that may be experienced at new ARSA locations will only be temporary, and that once established, the ARSA program will result in efficient terminal area operations at those airports where ARSA's are established. This has been the experience at the vast majority of ARSA sites that have already been implemented. In addition, establishment of this proposed ARSA will contribute to a reduction in near and actual midair collisions. For these reasons, FAA expects that establishment of the ARSA proposed in this notice will produce long term, ongoing benefits that will far exceed their costs, which are essentially transitional in nature.

International Trade Impact Analysis

This proposed regulation will only affect terminal airspace operating procedures at one airport within the United States. As such, it will have no effect on the sale of foreign aviation products or services in the United States, nor will it affect the sale of United States aviation products or services in foreign countries.

Regulatory Flexibility Determination

The Regulatory Flexibility Act of 1980 (RFA) was enacted by Congress to ensure that small entities are not unnecessarily and disproportionately burdened by government regulations. Small entities are independently owned and operated small businesses and small not-for-profit organizations. The RFA requires agencies to review rules that may have "a significant economic impact on a substantial number of small entities."

The small entities that could be potentially affected by implementation of the ARSA program are the fixed-base operators, flight schools, agricultural operators and other small aviation businesses located at satellite airports within 5 nautical miles of the ARSA center. If the mandatory participation requirement were to extend down to the surface at these airports, where under current regulations participation in Stage II and radio communication with ATC is voluntary, operations at these airports might be altered, and some business could be lost to airports outside of the ARSA core. FAA has proposed to exclude almost every satellite airport located within 5 nautical miles of the primary airport at candidate ARSA sites to avoid adversely impacting their operations, and to simplify coordinating ATC responsibilities between the primary and satellite airports. In some cases, the same purposes will be achieved through Letters of Agreement between ATC and the affected airports that establish special procedures for operating to and from these airports. In this manner, FAA expects to virtually eliminate any adverse impact on the operations of small satellite airports that potentially could result from the ARSA program. Similarly, FAA expects to eliminate potential adverse impacts on existing flight training practice areas, as well as soaring, ballooning, parachuting, ultralight, and banner towing activities, by developing special procedures that will accommodate these activities through local agreements between ATC facilities and the affected organizations. FAA has utilized such arrangements

extensively in implementing the ARSA's that have been established to date.

Further, because the FAA expects that any delay problems that may initially develop following implementation of an ARSA will be transitory, and because the airports that will be affected by the ARSA program represent only a small proportion of all the public use airports in operation within the United States, small entities of any type that use aircraft in the course of their business will not be adversely impacted.

For these reasons, the FAA certifies that the proposed regulation, if promulgated, will not result in a significant economic impact on a substantial number of small entities, and a regulatory flexibility analysis is not required under the terms of the RFA.

List of Subjects in 14 CFR Part 71

Aviation safety, Airport radar service areas.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

1. The authority citation for Part 71 continues to read as follows:

Authority: 49 U.S.C. 1348(a), 1354(a), 1510; Executive Order 10854; 49 U.S.C. 106(g) (Revised Pub. L. 97-49, January 12, 1983); 14 CFR 11.69.

§ 71.501 [Amended]

2. § 71.501 is amended as follows:

William P. Hobby Airport, Houston, TX [New]

That airspace extending upward from the surface to and including 4,000 feet MSL within a 5-mile radius of William P. Hobby Airport (lat. 29°38'43"N., long. 95°16'43"W.); and that airspace extending upward from 1,500 feet MSL to and including 4,000 feet MSL within a 10-mile radius of the airport from the 042°T(036°M) bearing from the airport clockwise to the 313°T(307°M) bearing from the airport, and that airspace extending upward from 1,800 feet MSL to and including 4,000 feet MSL within a 10-mile radius of the airport from the 313°T(307°M) bearing from the airport clockwise to the 042°T(036°M) bearing from the airport, excluding that airspace north of an east-west line drawn from the 10-mile point on the 313°T(307°M) bearing from the airport direct to the 10-mile point on the 042°T(036°M) bearing from the airport.

Issued in Washington, DC, on September 5, 1986.

Daniel J. Peterson,

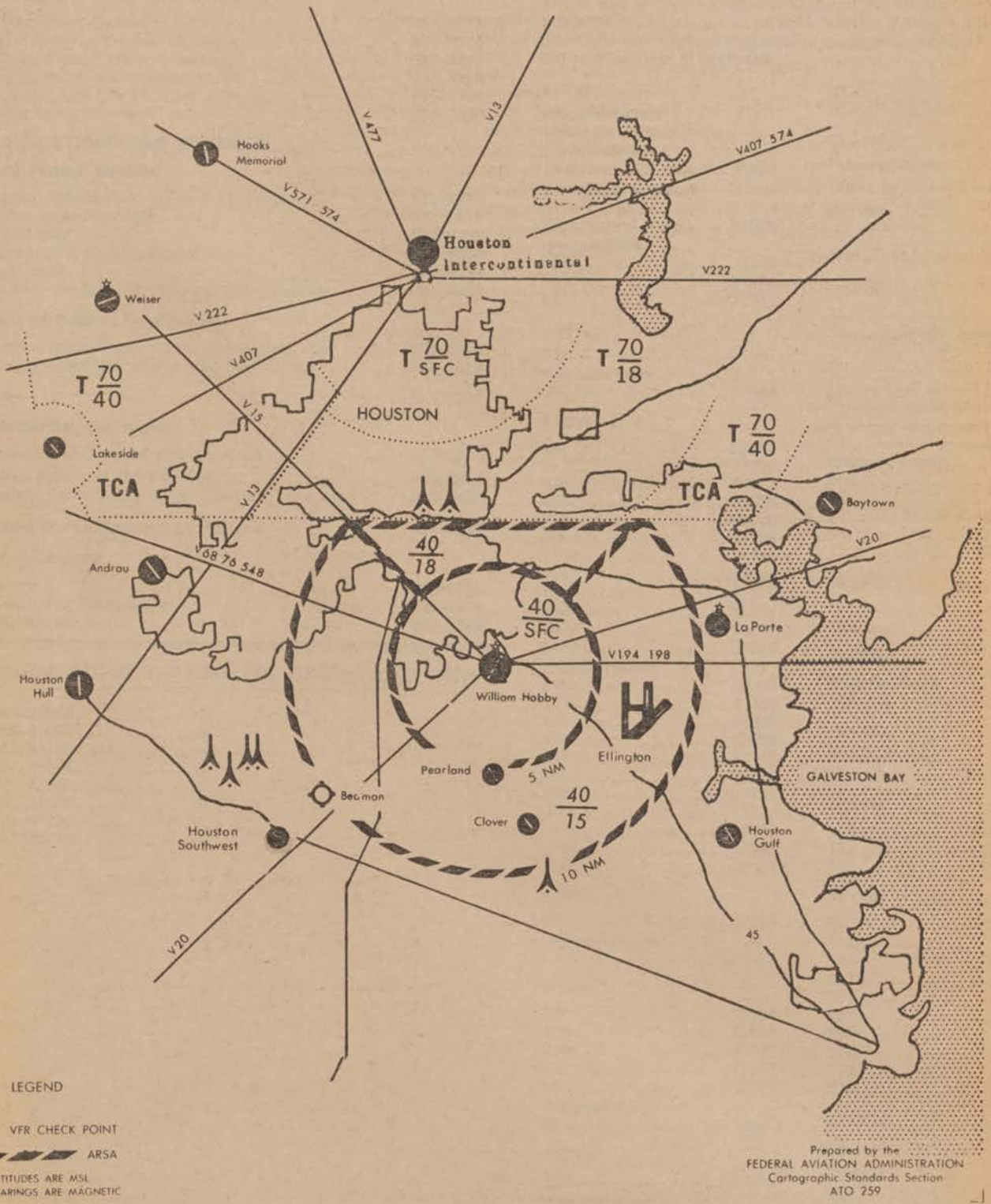
Manager, Airspace-Rules and Aeronautical Information Division.

BILLING CODE 4910-13-M

AIRPORT RADAR SERVICE AREA

(NOT TO BE USED FOR NAVIGATION)

HOUSTON, TEXAS
HOBBY AIRPORT
FIELD ELEV. 47' MSL



LEGEND

VFR CHECK POINT

ARSA

ALTITUDES ARE MSL
BEARINGS ARE MAGNETIC

Prepared by the
FEDERAL AVIATION ADMINISTRATION
Cartographic Standards Section
ATO 259

[FR Doc. 86-20513 Filed 9-10-86; 8:45 am]

BILLING CODE 4910-13-C

Reader Aids

Federal Register

Vol. 51, No. 176

Thursday, September 11, 1986

INFORMATION AND ASSISTANCE

SUBSCRIPTIONS AND ORDERS

Subscriptions (public)	202-783-3238
Problems with subscriptions	275-3054
Subscriptions (Federal agencies)	523-5240
Single copies, back copies of FR	783-3238
Magnetic tapes of FR, CFR volumes	275-1184
Public laws (Slip laws)	275-3030

PUBLICATIONS AND SERVICES

Daily Federal Register

General information, index, and finding aids	523-5227
Public inspection desk	523-5215
Corrections	523-5237
Document drafting information	523-5237
Legal staff	523-4534
Machine readable documents, specifications	523-3408

Code of Federal Regulations

General information, index, and finding aids	523-5227
Printing schedules and pricing information	523-3419

Laws 523-5230

Presidential Documents

Executive orders and proclamations	523-5230
Public Papers of the President	523-5230
Weekly Compilation of Presidential Documents	523-5230

United States Government Manual 523-5230

Other Services

Library	523-4986
Privacy Act Compilation	523-4534
TDD for the deaf	523-5229

FEDERAL REGISTER PAGES AND DATES, SEPTEMBER

31089-31308.....2
31309-31604.....3
31605-31756.....4
31757-31924.....5
31925-32046.....8
32047-32188.....9
32189-32296.....10
32297-32416.....11

CFR PARTS AFFECTED DURING SEPTEMBER

At the end of each month, the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

3 CFR

Executive Orders:
12532 (See Notice of September 4, 1986).....31925
Administrative Orders:
Notice:
September 4, 1986.....31925
Proclamations:
5519.....31309
5520.....31311
5521.....32047

5 CFR

831.....31927
Proposed Rules:
300.....31954

7 CFR

1.....32189
2.....31757
226.....31313
301.....31605
729.....32049
908.....31758
1136.....31759
1137.....32056
1230.....31898
1421.....32297
1427.....32297
1475.....31316
Proposed Rules:
246.....32093
301.....31956
911.....32098
915.....32098
981.....32103
989.....32216
1065.....31133
1068.....31133
1079.....31133
1137.....31340
1139.....32104

8 CFR

212.....32294
Proposed Rules:
214.....31637

9 CFR

307.....32301
318.....32301
319.....32057
322.....31937
381.....32301
Proposed Rules:
92.....31637

10 CFR

477.....31316
Proposed Rules:
2.....31340
40.....32217
50.....31341

12 CFR

Proposed Rules:
332.....32336

13 CFR

121.....32197
123.....32197

14 CFR

21.....31317
39.....31089, 31090, 31607, 31608, 32198-32200, 32202
71.....31097
75.....31097
91.....31098
95.....31319
97.....31322
Proposed Rules:
21.....31644
23.....31644
39.....31133-31137, 31342, 31343, 31647, 31779
71.....31138, 31648, 32410

15 CFR

4.....32204
4b.....32206

17 CFR

Proposed Rules:
150.....31648

18 CFR

Proposed Rules:
37.....31651, 31781

19 CFR

111.....31760, 32208
171.....31760, 32208
178.....31760, 32208

21 CFR

81.....31323
175.....31098
178.....31099, 31760, 32211
193.....31324
331.....32212
332.....32212
357.....31763
369.....31763
510.....31100
558.....31763

22 CFR

41.....32295

24 CFR

201.....32059
511.....31764

26 CFR

1.....31610, 31613, 32061
20.....31938, 32071
25.....31938
602.....31610, 31613, 31938

28 CFR

0.....31939, 31940
2.....32071
16.....32305

Proposed Rules:

16.....31781

29 CFR

220.....32306
1601.....32073
2200.....32002

30 CFR

901.....31940
938.....31942

Proposed Rules:

733.....31139
917.....32336
946.....32106
948.....32338

32 CFR

90.....32308
199.....31100
205.....31325
286g.....31103
359.....32309
706...31103-31112, 32312-32316

Proposed Rules:

40.....31651

33 CFR

110.....32317
117.....31112, 31113, 31946, 32318, 32319
165.....31113, 31114, 31946

Proposed Rules:

117.....32339
165.....31958

34 CFR

Proposed Rules:

614.....31754

36 CFR

13.....31619
800.....31115
1254.....31617

38 CFR

Proposed Rules:

21.....31782

39 CFR

10.....31325
233.....31328

Proposed Rules:

111.....31673

40 CFR

51.....32176
52.....31125, 31127, 31129, 31328, 32973, 32075, 32176
180.....32212
261.....31330
271.....31618
721.....32077
799.....32079

Proposed Rules:

51.....32180
52.....32180
86.....31783, 31959, 32032
260.....31783
261.....31140, 31783, 32217
262.....31783
264.....31783
265.....31783
268.....31783
270.....31783
271.....31783
799.....32107

41 CFR

Proposed Rules:

201-33.....31674

42 CFR

23.....31947
405.....31454
412.....31454

Proposed Rules:

57.....31920

43 CFR

36.....31619
2880.....31764

Proposed Rules:

2800.....31886
2880.....31886

44 CFR

64.....31330
65.....31635, 31950
67.....31951

Proposed Rules:

10.....31788
67.....31675, 31678

47 CFR

0.....31303, 32087
1.....31303, 32087
2.....31303
13.....31303
21.....31303
22.....31335
63.....31303
73.....32087, 32089, 32213, 32320
74.....32087
80.....31206
81.....31206
83.....31206
87.....31303
90.....31303
94.....31303

Proposed Rules:

2.....32222
15.....31147, 32222
25.....32223
64.....32113
67.....31149
68.....31149
73.....32113, 32114, 32224-32226, 32340
76.....31147
80.....31306

48 CFR

5.....31424
7.....31424
13.....31424
16.....31424
19.....31424
24.....31424
31.....31424
47.....31424
50.....31424
52.....31424
223.....31765
228.....31765
242.....31765
252.....31765
914.....31335
933.....31335
952.....31335
970.....31335

Proposed Rules:

32.....31194
45.....31196
48.....31197
52.....31194, 31197
515.....31344
538.....31344
542.....32340
552.....31344
970.....32340
1317.....31687
1352.....31687
5316.....32114

49 CFR

1.....32320
571.....31765

Proposed Rules

391.....31150
393.....32115

50 CFR

17.....31412
20.....31430
23.....31130
32.....32321
36.....31619, 32329
611.....32089, 32334
655.....31774, 31775
661.....32091
662.....32334
663.....31776
674.....32214
675.....32334
683.....32215

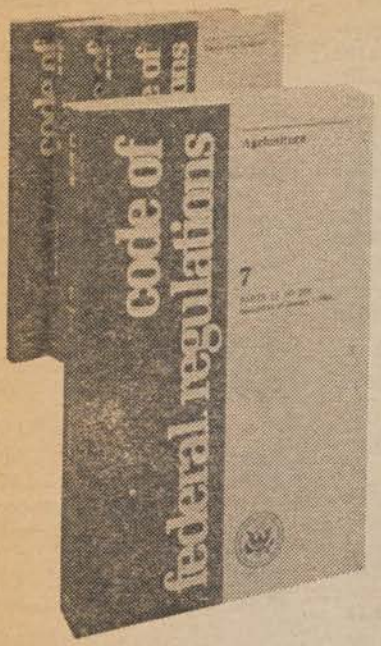
Proposed Rules

611.....32226
630.....31151

LIST OF PUBLIC LAWS

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws.**

Last List September 5, 1986.



Just Released

Code of Federal Regulations

Revised as of July 1, 1986

Quantity	Volume	Price	Amount
_____	Title 39—Postal Service (Stock No. 822-007-00119-4)	$12.00	$_____
_____	Title 41—Public Contracts and Property Management (Chap. 201-End) (Stock No. 822-007-00134-8)	7.50	_____
		Total Order	$_____

A cumulative checklist of CFR issuances appears every Monday in the Federal Register in the Reader Aids section. In addition, a checklist of current CFR volumes, comprising a complete CFR set, appears each month in the LSA (List of CFR Sections Affected).

Please do not detach

Order Form

Mail to: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402

Enclosed find $_____. Make check or money order payable to Superintendent of Documents. (Please do not send cash or stamps). Include an additional 25% for foreign mailing.

Charge to my Deposit Account No.

☐☐☐☐☐☐–☐

Order No._____

VISA®

MasterCard

Credit Card Orders Only

Total charges $_____ Fill in the boxes below.

Credit Card No. ☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐

Expiration Date Month/Year ☐☐☐☐

Please send me the **Code of Federal Regulations** publications I have selected above.

Name—First, Last

Street address

Company name or additional address line

City State ZIP Code

(or Country)

PLEASE PRINT OR TYPE

For Office Use Only.

	Quantity	Charges
Enclosed		
To be mailed		
Subscriptions		
Postage		
Foreign handling		
MMOB		
OPNR		
UPNS		
Discount		
Refund		